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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 11th November 1963 :—

Issue No.	No and Date	Issued by	Subject
219	S.O. 3162 dated 6th November, 1963.	Ministry of Mines and Fuel.	Giving notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended
220	S.O. 3201, dated 11th November, 1963.	Ministry of Information and Broadcasting.	Approval of the film specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 12th November 1963

S.O. 3217.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission in consultation with the Government of Mysore, hereby re-nominates Shri M. Syed Murshed Peer as the Chief Electoral Officer for the State of Mysore with effect from the forenoon of 28th October, 1963.

[No. 154/9/63.]

New Delhi, the 13th November, 1963

S.O. 3218.—The following Order of the Chief Election Commissioner is published for general information:—

ORDER No. 13

In exercise of the powers conferred by Section 8 of the Two-Member Constituencies (Abolition) Act, 1961, I hereby make the following corrections in Schedule XII of the Delimitation of Parliamentary and Assembly Constituencies Order, 1961:—

I. In part B of the said Schedule, for entries 65, 66, 69, 72, 73, 76, 78, 79, 80, 83, 84, 85, 86, 87, 88, 89, 90, 95, 104, 105, 116, 117, 121, 122, 126, and 129, the following entries shall be substituted:—

65. Kishangarh.—Kishangarh tahsil (excluding Harmara, Tilonia and Khajpura Bherwai villages; and the villages specified in item (29A) of the Appendix); and Narwar and Chandiawas villages in Gagwana Girdawar Circle, Mandiani village in Ramsar Girdawar Circle and Srinagar, Pharkia and Tehari Patwar Circles in Srinagar Girdawar Circle in Ajmer tahsil.

66. Pushkar.—Pushkar and Pisangan Girdawar Circles and Gagwana Girdawar Circle (excluding Narwar and Chandiawas villages) in Ajmer tahsil; and Harmara, Tilonia and Khajpura Bherwai villages in Kishangarh tahsil.

69. Nasirabad.—Nasirabad Cantt; Derathu Girdawar Circle, Ramsar Girdawar Circle (excluding Nandiani village); Jethana Girdawar Circle (excluding Amaragarh, Rundlai, Lamana and Liri villages) and Srinagar Girdawar Circle (excluding Srinagar, Pharkia and Tehari Patwar Circles) in Ajmer tahsil; and the villages in Sarwar tahsil specified in item (29) of the Appendix.

72. Bhinai.—Sarwar tahsil (excluding Sapla, Supa and Shyampura Patwar Circles and Manoharpura village and the villages specified in item (29) of the Appendix); the villages in Kishangarh tahsil specified in item (29A) of the Appendix; and the villages in Kekri tahsil specified in item (29B) of the Appendix.

73. Kekri.—Kekri tahsil (excluding Mankhand village and the villages specified in item (29B) of the Appendix); and Sapla, Supa and Shyampura Patwar Circles and Manoharpura village in Sarwar tahsil of Ajmer District; and the villages in Deoli tahsil of Tonk District specified in item (30) of the Appendix.

76. Bundi.—Bundi tahsil.

78. Digod.—Digod tahsil, Ladpura tahsil (excluding Kota Municipality and the villages specified in item (32) of the Appendix); and the villages in Mangrol tahsil specified in item (33) of the Appendix.

79. Pipalda.—Pipalda tahsil; and Mangrol tahsil (excluding the villages specified in items (33) and (33A) of the Appendix).

80. Baran.—Baran tahsil (excluding Barana village) and the villages in Mangrol tahsil specified in item (33A) of the Appendix.

83. Chechat.—Ramganj Mandi and Sangod tahsils.

84. Khanpur.—Khanpur tahsil, and the villages in Aklera and Jhalrapatan tahsils specified in items (34) and (35) of the Appendix, respectively.

85. Aklera.—Aklera tahsil (excluding the villages specified in item (34) of the Appendix).

86. Jhalrapatan.—Jhalrapatan tahsil (excluding the villages specified in item (35) of the Appendix); and the villages in Pachpahar tahsil specified in item (36) of the Appendix.

87. Pirawa.—Pirawa tahsil and Pachpahar tahsil (excluding the villages specified in items (36) and (37) of the Appendix).

88. Dag.—Gangdhar tahsil and the villages in Pachpanar tahsil specified in item (37) of the Appendix.

89. Begun.—Begun tahsil, and the villages in Gangral tahsil specified in item (38) of the Appendix of Chittorgarh District; and Dowani village in Kotri Tahsil of Bhilwara District.

90. Kapasin.—Kapasin tahsil (excluding the villages specified in item (38A) of the Appendix); Rashmi tahsil; and the villages in Gangral tahsil specified in item (39) of the Appendix.

95. Pratapgarh.—Pratapgarh tahsil.

104. Bhopalsagar.—Villages in Vallabhanagar tahsil specified in item (49) of the Appendix; and Dhaneria, Jewana and Khartana villages in Mavli tahsil of Udaipur District; and the villages in Kapasin tahsil specified in item (38A) of the Appendix of Chittorgarh District.

105. Mavli.—Mavli tahsil (excluding Dhaneria, Jewana and Khartana villages); and the villages in Relmagra tahsil specified in item (50) of the Appendix.

116. Mandal.—Mandal tahsil (excluding the villages specified in item (54A) of the Appendix).

117. Sahada.—Sahada tahsil.

118. Bhilwara.—Bhilwara tahsil (excluding the villages specified in item (55) of the Appendix).

121. Shahpura.—Hurda tahsil (excluding the villages specified in item (54B) of the Appendix), and Shahpura tahsil (excluding the villages specified in items (54) and (54C) of the Appendix).

122. Banera.—Kotri tahsil (excluding Bowani village and the villages specified in item (53) of the Appendix) and the villages in Bhilwara, Mandal, Hurda and Shahpura tahsils specified in items (55), (54A), (54B), and (54C), respectively of the Appendix.

126. Pali.—Pali tahsil (excluding the villages specified in item (58A) of the Appendix).

129. Bali.—Bali police station in Bali tahsil and the villages in Pali and Desuri tahsils specified in items (58A) and (58B) of the Appendix.

II. In Part B of the said Schedule, in the Note at the end after the figures "1956", there shall be inserted the words and figures "and any reference to any district, tahsil or other territorial division shall be taken to mean the area comprised within that district, tahsil or other territorial division on the 1st day of October, 1962".

III. In the Appendix to the said Schedule,—

(i) for item (29), the following items shall be substituted, namely:—

(29)

Villages in Sarwar tahsil included in Nasirabad Assembly constituency.

1. Aheran.
2. Beheran.
3. Barel.
4. Bhagwantpura.
5. Mohammad Garh.
6. Dhigaria Teliyan.
7. Dabrala.
8. Ringnot.
9. Kotri.
10. Keria Kalan.
11. Soela.
12. Sadapur.
- 13 Chandolai.

(29A)

Villages in Kishangarh tahsil included in Bhinal Assembly constituency.

1. Dholpur.
2. Indoli.
3. Kalanada.
4. Almas
5. Bharla.
6. Chosla.
7. Gagunda.
8. Mala.
9. Bhogadeet.
10. Sironj.
11. Gahelpur.
12. Juglipura.
13. Goli.
14. Bhambolaw.
15. Dang.
16. Bhawsa.
17. Arain.
18. Dhani Purohitam.
19. Kalyanpura.
20. Nonandpura.
21. Raghunatpura (U.P.).
22. Kebania (U.P.).
23. Shil.
24. Pachipla.
25. Bipjarwara.
26. Motipura.
27. Katsura.
28. Dadia.
29. Deopuri.
30. Lampa.
31. Sandolia.
32. Kakalwara.
33. Balapura.
34. Gundli.
35. Dhasuk.
36. Mandiawar Kalan.
37. Mandiawar Khurd.
38. Mothi.
39. Kishanpura.
40. Jhirota.
41. Mundoti.
42. Dothal.
43. Pandawara.
44. Akodia.
45. Jhadol.
46. Gopalpura.
47. Mandwaria.
48. Kairia.
49. Gothiania.

- 50 Jorawarpura.
- 51 Dangri (U.P.)
- 52. Sarvar.
- 53. Gujarwara.

(29B)

Villages in Kekri tehsil included in Bhinai Assembly constituency.

- 1. Kumharia.
- 2. Kitap.
- 3. Dhantol.
- 4. Udaigarh Khera.
- 5. Gujarwara.
- 6. Hirapura.
- 7. Rcechmalian.
- 8. Piloda.
- 9. Rughnathgarh.
- 10. Bandanwara.
- 11. Govlia.
- 12. Kheri (Bandanwara).
- 13. Partappura.
- 14. Chhachhundra.
- 15. Daulatpura.
- 16. Sadaria.
- 17. Ruppura.
- 18. Rampura.
- 19. Deopura.
- 20. Motipura.
- 21. Amargarh.
- 22. Pranga.
- 23. Jhipian.
- 24. Ratakot.
- 25. Singawal.
- 26. Mathania.
- 27. Hinalayan.
- 28. Balapura.
- 29. Karanti.
- 30. Gopalpura.
- 31. Phalsingha.
- 32. Chawandia.
- 33. Jhabarkia.
- 34. Dhani.
- 35. Ruppura (Bhinai).
- 36. Tilara.
- 37. Bhinai.
- 38. Sargaon.
- 39. Gordhanpura.
- 40. Zorawarpura.
- 41. Tatanpura.
- 42. Rain.
- 43. Partapura.
- 44. Chana.

45. Sol Kalan.
46. Sol Khurd.
47. Sobri.
48. Piplia.
49. Khayada.
50. Dhagaria Gujran.

(ii) after item (33) the following item shall be inserted, namely:—
(33A)

Villages in Mangrol tahsil included in Baran Assembly constituency.

1. Bijora.
2. Raskhera.
3. Bundi.
4. Batawadi.
5. Tarda.
6. Dabri Kakaji.
7. Khajarna Khurd.
8. Sorkhand Kalan.
9. Sorkhand Khurd.
10. Deopura.
11. Sorkhand.
12. Majra Tarda Khera.
13. Pachal Kalan.
14. Pachal Khurd.
15. Sarkya.
16. Badgaon.
17. Ghodi Gaon.
18. Ganeshpura.
19. Moondia.
20. Patonda.
21. Pipalda.
22. Mandpur.
23. Lokhod.
24. Baldra.
25. Alipura.
26. Ruppura.
27. Dhatooriya.
28. Bhoja Kheri.
29. Bishan Khera.
30. Ratadiya.
31. Ladwara.
32. Rampura.
33. Kachri.
34. Balakhera.
35. Bambulia Jogiyan.
36. Palthana.
37. Bambuliya Kalan.
38. Tomkhera.
39. Anta.
40. Chak Shahabad.
41. Barkhera.

-
- 42. Bamori.
 - 43. Nagda.
 - 44. Paliatha.
 - 45. Gulabpura.
 - 46. Ama.
 - 47. Thikaria.
 - 48. Dugari.
 - 49. Gopalpura.
 - 50. Amalsira.
 - 51. Molaiko.
 - 52. Niana.
 - 53. Mohammadpur.
 - 54. Kethodi.
 - 55. Takha.
 - 56. Babri Khera.
 - 57. Bilandi.
 - 58. Manpura.
 - 59. Kotri.
 - 60. Khajoorna Kalan.
 - 61. Kewada.
 - 62. Delaheri.
 - 63. Bambulia Mataji.
 - 64. Dhokad Khera.
 - 65. Lisada.
 - 66. Antedi.
 - 67. Badwa.
 - 68. Jainagar.
 - 69. Govindpura.
 - 70. Hapaheda.
 - 71. Borajedi.
 - 72. Sorsan.
 - 73. Asannaktika.
 - 74. Sangahedi.
 - 75. Kharkheda.
 - 76. Rajodia.
 - 77. Mahoo.
 - 78. Mirjapur.
 - 79. Anwat Khera.
 - 80. Hanotia.
 - 81. Dabri Nakiji.
 - 82. Chachedia.
 - 83. Deopur Sarsan.

(iii) for item (34), the following item shall be substituted, namely:—

(34)

Villages in Aklera tahsil included in Khanpur Assembly Constituency.

- 1. Ametha.
- 2. Kohri.
- 3. Madanpura.
- 4. Bharatpura.
- 5. Gehun Kheri.

6. Bor Kheri Malian.
7. Bans Kheri Loden.
8. Katphali.
9. Arnia Jagir.
10. Dholsarah.
- 11 Ratanpura.
12. Gujar Kheri.
13. Chhabria.
14. Kalia Kheri.
15. Pipaldi.
16. Thanowad.
17. Bandra.
18. Sadia Kua.
19. Awad.
20. Mirzapur.
21. Nayagaon.
22. Gadia Mahesh.
23. Padlia.
24. Misroli.
25. Narera.
26. Hanoti.
27. Kho Khera.
28. Nen Kot.
29. Kalwa.
30. Madanpura.
31. Kotpahata.
32. Ruppura.
33. Baldeopura.
34. Bairagarh.
35. Jalimpura.
36. Haripura.
37. Geneshpura.
38. Semli.
39. Shivpura.
40. Motipura.
41. Khedla.
42. Patan.
43. Ubsali Jagir.
44. Manpura.
45. Mahuwa Khera.
46. Patdi Khera.
47. Bhalta.
48. Nahargarh.
49. Umrid.
50. Rankda.
51. Soori.
52. Umria.
53. Chuwadia.

54. Khera Danta.
55. Pachan Kheri.
56. Bahedi Kalan.
57. Bahedi Khurd.
58. Rampura.
59. Telkhera.
60. Ganeshpura Kalan.
61. Padlia Lodnan.
62. Bainda Khera.
63. Parthipura.
64. Baori Khera.
65. Manpura.
66. Tijbardi.
67. Jagdishpura.
68. Laxmipura.
69. Kolu Kheri.
70. Nayagaon.
71. Sevhia Khurd.
72. Bur Kheri.
73. Gadia.

(iv) for item (35), the following item shall be substituted, namely:—

(35)

Villages in Jhalrapatan Tahsil included in Khanpur Assembly Constituency.

1. Haripura.
2. Jalimpura.
3. Teklia.
4. Sevnia Kalan.
5. Semal Khera.
6. Chokri.
7. Semli.
8. Dhanoda.
9. Ratanpura.
10. Amarpura Kalan.
11. Tekli.
12. Amarpura Khurd.
13. Nordi.
14. Gurad Kheda.
15. Dhavli.
16. Gordhanpura.
17. Raghunathpura.
18. Hindia.
19. Jhinkaria.
20. Nayagaon.
21. Nelki.
22. Deori.
23. Brijpura.
24. Pathria.

25. Pathri.
26. Ganeshpur.
27. Ruppura.
28. Dagaon.
29. Amarpura.
30. Nardi Kalan.
31. Nardi Khurd.
32. Govindpura.
33. Baori Khera.
34. Agaria.
35. Daulatpura.
36. Lakshmpura.
37. Suva Khoh.
38. Ganeshpura.
39. Amzar Kalan.
40. Amzar Khurd.
41. Prithipura.
42. Narsinghpura.
43. Berjhari.
44. Gangpura.
45. Kushalpura.
46. Sripura.
47. Vilajipura.
48. Naya Khera.
49. Aundpura.
50. Lalpuri.
51. Lalpura.
52. Madanpura.
53. Girdhanpura alias Nayagaon.
54. Neem Khera.
55. Haripura.
56. Sheopura.
57. Kalya Kheri.
58. Gopalpura.
59. Tokri.
60. Gordhanpura.
61. Kankaria.
62. Bur Khera Kalan.
63. Bur Khera Khurd.
64. Kotra Radi.
65. Loda Khera.
66. Bhojpura.
67. Manpura.
68. Damakpura.
69. Modi.
70. Daya Dhuri.
71. Baday.
72. Navkheri.
73. Naser.
74. Moya Kheri.
75. Sujanpura.

- 76. Maheshpura.
- 77. Pempura.

(v) for item (37), the following item shall be substituted, namely:—

(37)

Villages in Pachpahar tahsil included in Dag Assembly Constituency.

- 1. Akia
- 2. Arnia
- 3. Amlia
- 4. Rajgarh
- 5. Jhijni
- 6. Misroli
- 7. Bhagwatipura
- 8. Naharghatta
- 9. Bhawanipura
- 10. Nipania Hada
- 11. Kharkhera
- 12. Bhaisan
- 13. Mahuria
- 14. Daliakheri
- 15. Jaswantpura
- 16. Dobra
- 17. Chandrapura
- 18. Silehgarh
- 19. Madavda
- 20. Jhinkdia
- 21. Kochria Khedi
- 22. Khokharia Kalan
- 23. Kurawan
- 24. Nathu Khedi
- 25. Chandrapura
- 26. Gangalia Khedi
- 27. Khokharia Khurd
- 28. Singpur
- 29. Adukhedi
- 30. Khelkheri
- 31. Dani
- 32. Chhan-Ka-Khedi
- 33. Ghugwa
- 34. Bistonia
- 35. Tongni
- 36. Chand Khera
- 37. Jalni
- 38. Khandar
- 39. Thikria
- 40. Gurdia Khurd
- 41. Pagaria
- 42. Bhimni
- 43. Borkhedi
- 44. Paera
- 45. Somli

46. Awar
47. Lad Kheda
48. Shekhpura
49. Deogarh
50. Moru Khedi
51. Kheda
52. Guradia Kalan
53. Hathiagod
54. Rajpura
55. Jajni
56. Binaiga
57. Salria

(vi) after item (38), the following item shall be inserted, namely:—
(38A)

Villages in Kapasin Tahsil included in Bhopalsagar Assembly Constituency.

1. Anoppura
2. Manoria Kheri
3. Chothpura
4. Dhani
5. Sejgaria
6. Surajpura
7. Jashma
8. Sanwalia Khera
9. Gujarria Khera
10. Gulabpura
11. Kann Khera
12. Odon-ko-Khera
13. Mali Khera
14. Devdon-Ka-Khera
15. Ruppura *alias* Dhano-Ka-Khera
16. Singaria
17. Usrol
18. Phalasia Kalan
19. Kheri
20. Sadipura
21. Janjadon-Ka-Khera
22. Bari
23. Bhopalsagar
24. Shambhpura
25. Rampuria Khurd
26. Bull *alias* Bod
27. Harmatia
28. Tanda
29. Balda (Balad)
30. Rama Khera
31. Khedli
32. Sardarpura
33. Babrana
34. Phalasia Khurd
35. Samta
36. Aali

37. Pari
38. Bhopalnagar
39. Kakarwa
40. Matunia
41. Rawatia
42. Patolia
43. Anjan Khera
44. Sadari
45. Nilod
46. Jawa
47. Joyda
48. Chokhdli
49. Babria Khera
50. Badval
51. Kanwarpura
52. Murla
53. Amarpura
54. Dirlab
55. Chokadi
56. Akola
57. Ummedpura *alias* Guda
58. Gundali
59. Rampuria Kalan
60. Lalawas
61. Hingwania
62. Pama Khera
63. Tana
64. Kanad Khera
65. Muchh-Ki-Bhagal (UP)
66. Nawalpura
67. Narja-Ki-Bhagal
68. Gillund
69. Nandoli Kalan
70. Gujarat-Ki-Bhagal
71. Bala-Ki-Bhagal
72. Kalyanpura
73. Pitamberpura
74. Kabirji-Ki-Bhagal
75. Dhana-Ki-Bhagal
76. Daulatpura
77. Chakudi

(vii) after item (54), the following items shall be inserted, namely:—

(54A)

Villages in Mandal tahsil included in Banera Assembly Constituency:—

1. Bera
2. Jaswantpura
3. Surajpura
4. Ruppaholi Khurd
5. Dodwanlyon-Ka-Khera
6. Kanvalia

7. Banera
8. Salria Kalan
9. Sultangarh
10. Kodjai
11. Balesaria
12. Hathipura
13. Rampuria
14. Dudla
15. Dantanilawari
16. Baran
17. Kilpura
18. Rasinghpura
19. Kajlodia
20. Nanudia
21. Kamalpura

(54B)

Villages in Burda tahsil included in Banera Assembly Constituency:—

1. Kasoria
2. Jasoria
3. Bijalpur
4. Dabla
5. Kundian Khurd
6. Charta
7. Bhatedo
8. Baldrakha
9. Dagas
10. Jhantal
11. Mandi
12. Nimbahera Kalan
13. Kotdi
14. Jalya Khera
15. Dhamnia
16. Somsias
17. Thikaria
18. Kundia Kalan
19. Gora-Ka-Khera
20. Ralla
21. Lambia Kalan
22. Lotyas
23. Lambia Khurd
24. Sardarpura
25. Ruppura
26. Mengras
27. Sadas.

(54C)

Villages in Shahpura tahsil included in Banera Assembly Constituency:—

1. Munshi
2. Munsha

3. Rakahi
4. Baisa Kalan
5. Upreda
6. Mola-Ka-Khera
7. Pratappura
8. Khatan Khedi
9. Bamnia
10. Bhimpura
11. Lamba
12. Sardarnagar
13. Kankolia
14. Sagrampura
15. Mahtabsagar
16. Jorawarpura
17. Lasadia
18. Kanwar
19. Lulans
20. Gidia
21. Chachlania
22. Palsa
23. Mundoti
24. Bhojpur
25. Kheri Khurd
26. Salaria Khurd
27. Mundota
28. Narsinghpura.

(viii) for item (55), the following item shall be substituted, namely.—

(55)

Villages in Bhilwara tahsil included in Banera Assembly Constituency:—

1. Mahuwa Khurd
2. Chamanpura
3. Chatrikhera
4. Raninghpura
5. Kedlia
6. Ganeshpura
7. Dolatpura
8. Lachmipura
9. Kalsana
10. Babrana
11. Gopalpura
12. Lampia
13. Amlı
14. Kishanpura
15. Bhadali Khera
16. Chhapri
17. Kodikota
18. Akola

(ix) after item (58), the following items shall be inserted, namely:—

(58A)

Villages in Pali tahsil included in Bali Assembly Constituency:—

1. Khond
2. Kalyanpura
3. Padarli (Turkan)
4. Busi
5. Pratapgarh
6. Sadariya
7. Nimbada
8. Hiran Khurd
9. Balrai (Barlai)
10. Gura Nawa
11. Kirwa
12. Gura Kuni
13. Chanchodi
14. Changwa
15. Gura Durgadas
16. Nandana Bhatan
17. Khatu Kara
18. Mandal

(58B)

Villages in Desuri tahsil included in Bali Assembly Constituency:—

1. Indrawara
2. Gura Jet Singh
3. Elani
4. Bhandarlan
5. Septawa
6. Duthadiya
7. Odwadiya
8. Itandara Medation
9. Jawali
10. Dariya
11. Gura Ganga
12. Punariya
13. Rani Kalan
14. Handara Charan
15. Dudwad
16. Padarli Sindlan
17. Rani Khurd
18. Nadna Jodhan
19. Bhagwanpura
20. Saraiya
21. Akawawas
22. Gura Mehram
23. Kishanpura
24. Rabadiyawas
25. Deoli
26. Gura Bhimsingh

27. Kharda
28. Bordi
29. Jiwand Kalan
30. Sanwlata
31. Nadol.
32. Virampura Mataji
33. Dadal
34. Barkana
35. Bigodla
36. Nawa gura
37. Barka
38. Binjowa

New Delhi,
the 13th November, 1963.

(Sd.) K. V. K. SUNDARAM,
Chief Election Commissioner.

[No. 282/RJ/62(II).]

By Order,
PRAKASH NARAIN, Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

INSURANCE

New Delhi, the 12th November 1963

S.O. 3219.—Whereas the Central Government is satisfied that by sections 11 and 12 of the Insurance Act, 1932—1960 of the Commonwealth of Australia, insurance companies incorporated in India are required as a condition of carrying on insurance business in the Commonwealth of Australia to comply with certain special requirements not imposed on insurers of that country under the Insurance Act, 1938 (4 of 1938) (hereinafter referred to as "the Act"):

Now, therefore, in exercise of the powers conferred by section 62 of the Act, the Central Government is pleased to direct that the following requirements, being requirements as similar as may be to the said special requirements, shall be imposed on all insurers constituted, incorporated or domiciled or having their principal place of business in the Commonwealth of Australia (hereinafter referred to as Australian insurers) as a condition of their carrying on the business of insurance in India, namely:—

The Act shall apply to Australian insurers as if for clauses (a) to (i) of sub-section (1) of section 7, the following clauses were substituted, namely:—

"(a) where the business done or to be done in one or more classes of Fire, Marine or Miscellaneous insurance business, ten lakhs and seventy thousand rupees.

Provided that, in the case of Australian insurers carrying on Fire, Marine and Miscellaneous classes of insurance business in India on the 18th May 1961, the amount to be deposited and kept deposited shall be one thousand rupees, for every five thousand rupees of net premium income in India in the last calendar year, subject to a minimum of three lakhs and fifty thousand rupees and a maximum of ten lakhs and seventy thousand rupees, and

(b) in any other case, such sum as may be determined by the Central Government."

[No. 51(7)-INS/I/63.1

New Delhi, the 19th November 1963

S.O. 3220.—Statement of the Affairs of the Reserve Bank of India, as on the 8th November 1963

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	13,42,86,000
Reserve Fund	80,00,00,000	Rupee Coin	3,21,000
National Agricultural Credit (Long Term Operations) Fund	73,00,00,000	Small Coin	4,00,000
National Agricultural Credit (Stabilisation) Fund	8,00,00,000	National Agricultural Credit (Long Term Operations) Fund (a) Loans and Advances to :— (i) State Governments	27,07,63,000
<i>Deposits</i> :—		(ii) State Co-operative Banks	9,72,55,000
(a) Government		(iii) Central Land Mortgage Banks
(i) Central Government	49,39,44,000	(b) Investment in Central Land Mortgage Bank Debentures	3,55,31,000
(ii) State Governments	14,34,95,000	National Agricultural Credit (Stabilisation) Fund Loans and Advances to State Co-operative Banks
(b) Banks		Bills purchased and Discounted :— (a) Internal
(i) Scheduled Banks	77,43,96,000	(b) External
(ii) State Co-operative Banks	2,23,16,000	(c) Government Treasury Bills	62,48,10,000
(iii) Other Banks	2,04,000	Balances held Abroad*	7,95,39,000
(c) Others	164,38,04,000	Loans and Advances to Governments**	49,03,96,000
Bills Payable	33,57,63,000	Loans and Advances to :— (i) Scheduled Banks†	50,90,000
Other Liabilities	30,35,70,000	(ii) State Co-operative Banks††	125,35,51,000
		(iii) Others	2,53,83,000
		Investments	219,23,04,000
		Other Assets	25,78,66,000
Rupees	537,74,92,000	Rupees	537,74,92,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

† Includes Rs. Nil advanced to scheduled banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 13th day of November 1963.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 8th day of November, 1963.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	13,42 86,000		Gold Coin and Bullion :—		
Notes in circulation	2279 69 47,000		(a) Held in India	117,76,10,000	
Total Notes issued	2193,12,33,000		(b) Held outside India	
			Foreign Securities	92,45 69,000	
			TOTAL	210,21,79,000	
			Rupee Coin	113,59,52,000	
			Government of India Bonds Securities	1964,31,02,000	
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES	2193,12,33,000		TOTAL ASSETS	2193,12,33,000	

Dated the 13th day of November, 1963.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/63]

A. BAKSI, Jt. Secy.

ERRATA

In the Lists of Govt. Securities etc., in the custody of Reserve Bank of India, New Delhi, as on 31st December, 1962, published in the Gazette of India, Part II—Section 3(ii), dated 29th June, 1963 as S.O. 1749, the following corrections are to be made:—

Page 2020, against item No. 5, under col. 12,—

for "1,48,000".

read "1,48,00,000".

Page 2026, against item No. 7,—

The figures '200' may be read below col. No. 28 instead of col. No. 27.

Page 2041,—

Heading of col. No. 26,—

for "3% 1964".

read "3% M.P. 1964".

Heading of col. No. 27,—

for "4% 1971".

read "4% Bombay 1971".

Page 2042, against item No. 33, under col. 25,—

for ".."

read "5,300".

(Department of Revenue)

New Delhi, the 12th November 1963

S.O. 3221.—In pursuance of sub-rule (2) of rule 126HH read with rule 126X of the Defence of India Rules, 1962, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. F. 1/59/63-GC dated the 27th September, 1963, namely:—

In the said notification, in the form of "Certificate to carry on business as Goldsmiths", after the word "dealer", the brackets and words "(which expression includes a certified goldsmith)" shall be inserted.

[No. F. 30/5/63-GCR.]

B. D. PANDE, Addl. Secy.

(Department of Revenue)

INCOME-TAX

New Delhi, the 18th November 1963

S.O. 3222.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby rescinds the Notification of the Government of India in the Ministry of Finance (Department of Revenue), No. S.O. 991, dated the 1st April, 1962.

[No. 69/F. No. 16/25/63-IT.]

S.O. 3223.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby rescinds the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. S.O. 63, dated the 2nd January, 1963.

[No. 70/F. No. 16/25/63-IT.]

J. P. SINGH, Jt. Secy.

(Department of Revenue)

CORRIGENDUM

STAMPS

New Delhi, the 23rd November 1963

S.O. 3224.—In the Notification of the Government of India in the late Finance Department (Central Revenues) No. 13, dated the 25th December, 1937, under the heading "E—EDUCATIONAL INSTITUTIONS", in Paragraph 14, the words "in Ajmer-Merwara" shall be omitted.

[No. 27/F. No. 1/37/63-Cus.VII.]

M. G. VAIDYA, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, MADRAS

NOTICE

Madras, the 25th October 1963

S.O. 3225.—Notice is hereby given that a consignment of 24 bags of I.A.C. Chewing tobacco (Rasi, Mattam and Sangayam) weighing 1,387 Kg. nett was seized by the Central Excise Officers on 19th August 1963 from the lorry MDU 5944 near Jallianithottam on the Dharapuram-Mettupalayam Road, as it appears that the tobacco in question was transported without a transport document in contravention of Rule 32 of the Central Excise Rules, 1944.

(2) **Claimants:** The claimants of the goods, if any, are requested to put forth their claims in person before the Collector of Central Excise, Madras within one month from the date of publication of this notice.

1. He/They is/are hereby required to show cause to the Collector of Central Excise, No. 21, Nungambakkam High Road, Madras-34, why a penalty should not be imposed on him/them for contravention of Rule 32 of the Central Excise Rules, 1944 and why the 24 bags of I.A.C. Chewing tobacco weighing 1,387 Kgs. nett in respect of which the offence appears to have been committed should not be confiscated under Rule 32 of the Central Excise Rules, 1944.

2. He/They is/are further directed to produce at the time of showing cause all the evidence upon which he/they intends/intend to rely in support of his/their defence.

3. The claimant/claimants should also indicate in the written explanation whether he/they wishes/wish to be heard in person before the case is adjudicated.

4. If no cause is shown against the action proposed to be taken within one month from the date of publication of this notice or the claimant/claimants does/do not appear before the adjudicating authority when the case is posted for hearing, the case will be decided *ex parte*.

[No. C. No. Va/13/11/63 B.2.]

R. S. KODICAL.

Asstt. Collector (Technical).

MINISTRY OF INDUSTRY

ORDERS

New Delhi, the 11th November 1963

S.O. 3226/JDRA/6/9.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 18th July, 1965, Shri G. N. Mitra, to be a member of the Development Council established by the Order of the Government of India in the late Ministry of Commerce and Industry No. S.O. 2077 dated the 19th July, 1963, for the scheduled industries engaged in the manufacture or production of internal combustion engines, power driven pumps, air compressors and

blowers and directs that the following amendment shall be made in the said Order, namely:—

In the said Order, for entry No. 27 relating to Shri S. K. Choudhury, the following entry shall be substituted, namely:—

27. Shri G. N. Mitra, Fisheries Development Advisor, Ministry of Food and Agriculture, (Department of Food), Krishi Bhavan, New Delhi.

[No. 1(8)/L. Pr./63.]

New Delhi, the 13th November 1963

S.O. 3227/IDRA/6/4.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 18th August, 1965, Shri S. L. Bhattar, to be a member of the Development Council established by the Order of the Government of India in the Ministry of Industry No. S.O. 2378, dated the 19th August, 1963, for the scheduled industries engaged in the manufacture or production of Machine Tools and directs that the following amendment shall be made in the said Order, namely:—

In the said Order, for entry No. 12 relating to Shri Lalchand Hirachand, the following entry shall be substituted, namely:—

12. Shri S. L. Bhattar, Plant General Manager, M/s. Hindusthan Motors Ltd., P.O. Uttarpara (E. Rly.), Distt. Hooghly, (West Bengal).

[No. 1(9)/L. Pr./63.]

S. P. KRISHNAMURTHY, Under Secy.

(Indian Standards Institution)

New Delhi, the 6th November 1963

S.O. 3228.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed have been established during the period 16th October to 5th November 1963.

The SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars.
(1)	(2)	(3)	(4)
1.	IS : 51-1963 Specification for Zinc Chrome for Paints (Revised).	IS:51-1950 Specification for Zinc Chrome for Paints.	This standard prescribes the requirements and the methods of test for the material commercially known as Zinc chrome, intended for use as a paint pigment. (Price Rs.2.50).
2.	IS: 803-1962 Code of Practice for Design, Fabrication and Erection of Vertical Mild Steel Cylindrical Welded Oil Storage Tanks.	..	This code covers materials, design, fabrication, erection and testing requirements for mild steel cylindrical welded tanks for oil storage in various sizes and capacities, for erection above ground, of the following designs : (a) Fixed roof tanks designed to operate only at nominal pressure/vacuum, designated briefly as non-pressure tanks,

(1)	(2)	(3)	(4)
			(b) Fixed roof tanks designed to withstand small pressures/ vacuums (Class A and Class B), and (c) Open-top tanks. (Price Rs. 10.00)
3.	IS:1360-1963 Specification for Engineers' Pattern Tee Squares (<i>Revised</i>).	IS:1360-1959 Specification for Engineers' Pattern Tee Squares.	This standard covers the requirements for four sizes of engineers' pattern tee squares, designated as T ₀ , T ₁ , T ₂ , and T ₃ . (Price Rs. 1.50).
4.	IS:2381-1963 Recommendations for Bibliographical Reference.	..	This standard specifies the various items of information regarding a bibliographical reference pertaining to a book, a periodical publication, a contribution to a composite book, or a contribution to a periodical publication, an entry in an abstracting or indexing list or periodical, a patent, and a standard. (Price Rs. 2.50).
5.	IS:2431-1963 Specification for Steel Wheelbarrows (Single-Wheel Type)	..	This standard lays down requirements for dimensions, materials, construction and finish of steel wheelbarrows of the single-wheel type suitable for use on the building and civil engineering works. (Price Rs. 1.50).
6.	IS:2481-1963 Specification for Handloom Shoddy Wool Blankets (Single Faced).	..	This standard prescribes constructional details and other particulars of handloom shoddy wool blankets (single faced). (Price Rs. 2.00).

Copies of these Standards are available, for sale, with the Indian Standards Institution, Manak Bhavan, 9 Mathura Road, New Delhi-1, and also at its branch offices at (i) 232 Dr. Dadabhai Naoroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54, General Patters Road, Madras-2, (iv) 14/69, Civil Lines, Kanpur.

[No. MD/13:2.]

New Delhi, the 7th November 1963

S.O. 3229.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that twenty-six licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Serial No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article(s) covered by the licence	Relevant Indian Standard(s)
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-20 24-10-1956	24-10-63	23-10-64	M/s. Shree Digvijay Cement Co. Ltd., Sikka (Saurashtra).	Ordinary, Rapid-Hardening and Low Heat Portland Cement.	IS: 269-1958 Specification for ordinary, Rapid-Hardening and Low Heat Portland Cement.
2	CM/L-139 28-8-1959	20-10-63	19-10-64	M/s. Tata Fison Ltd., Palluruthy, Cochin (Kerala State).	DDT Water Dispersible Powder Concentrates.	IS: 565-1961 Specification for DDT Water Dispersible Powder Concentrates (Revised).
3	CM/L-140 28-8-1959	20-10-63	19-10-64	M/s. Tata Fison Ltd., Palluruthy, Cochin (Kerala State).	BHC Water Dispersible powder Concentrates.	IS: 562-1962 Specification for BHC Water Dispersible Powder Concentrates (Second Revision).
4	CM/L-144 28-9-1959	16-10-63	15-10-64	M/s. Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani Road, Bombay.	BHC Dusting powders.	IS: 561-1962 Specification for BHC Dusting Powders (Second Revision).
5	CM/L-145 28-9-1959	16-10-63	15-10-64	M/s. Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani Road, Bombay.	DDT Dusting powders	IS: 564-1961 Specification for DDT Dusting Powders (Revised).
6	CM/L-147 28-9-1959	16-10-63	15-10-64	M/s. Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani Road, Bombay.	DDT Water Dispersible Powder Concentrates.	IS: 565-1961 Specification for DDT Water Dispersible Powder Concentrates (Revised).
7	CM/L-150 15-10-1959	1-11-63	31-10-64	M/s. Packing Materials Corporation, 248 Samuel Street, Bombay-3.	Waterproof Packing Paper.	IS: 1398-1960 Specification for packing Paper, Waterproof, Bitumen Laminated.
	CM/L-204 28-6-1960	16-10-63	15-10-64	M/s. Jaipur Metals & Electricals Ltd., Jaipur (Rajasthan).	Copper Rods for Boiler Stay Bolts and Rivets.	IS: 288-1960 Specification for Copper Rods for Boiler Stay Bolts and Rivets (Revised).
9	CM/L-231 27-9-1960	15-10-63	14-10-64	M/s. Bharat Pulverising Mills Pvt. Ltd., Chinchpokli Cross Lane, Byculla, Bombay-8.	BHC Dusting powders.	IS: 561-1962 Specification for BHC Dusting Powders (Second Revision).
10	CM/L-232 17-10-1960	1-11-63	31-10-64	M/s. Assam Plywood Products, Dibrugarh, (Factory at Kakojan) Assam.	Tea-Chest Plywood Panels.	IS: 10-1953 specification for Plywood Tea-Chests (Revised).

11	CM/L-235 13-10-1960	1-II-63	31-10-64	M/s. Vegetable Soap Works, Big Bazar, Calicutt-1 (Kerala State).	Toilet Soap	IS: 284-1951 Specification for Toilet Soap.
12	CM/L-236 13-10-1960	1-II-63	31-10-64	M/s. Republic Engg. Corporation Limited 7, Chowinghee Road, Calcutta-13.	Bicycle Bottom Bracket Fixed Cups	IS: 1133-1958 Specification for Bicycle Bottom Bracket Fixed Cups.
13	CM/L-329 31-7-1961	25-10-63	24-10-64	M/s. Delt Spokes Manufacturing Co., 12, Nanabhai Lane, Bombay-1.	14 SWG Bicycle Spokes (Plain), with Nipples and Washers	IS: 630-1955 Specification for Bicycle Spokes (Plain) and Nipples for Spokes. (Tentative).
14	CM/L-341 20-9-1961	22-10-63	21-10-64	M/s. Mysore Insecticides Co. (Andhra), 18/257, Gandhinagar, Vijayawada-3.	BHC Dusting Powders	IS: 561-1962 Specification for BHC Dusting Powders (Second Revision).
15	CM/L-343 27-9-1961	25-10-63	24-10-64	M/s. S. G. Can Factory, Yamunanager (Rly. Station Jagadahari).	18-Litre Square Tins	IS: 916-1958 Specification for 18 Litre Square Tins.
16	CM/L-344 29-9-1961	15-10-63	14-10-64	M/s. Godrej Soaps Private Ltd., 316, Delisle Road, Bombay-11.	(i) Stearic Acid, Technical Grade 3 and Grade 4 (ii) Oleic Acid, Technical, Grade 3	IS: 1675-1960 Specification for Stearic Acid, Technical. IS: 1676-1960 Specification for Oleic Acid, Technical.
17	CM/L-345 29-9-1961	15-10-63	14-10-64	M/s. AFCO Limited, Erangal, Madh Island, Bombay-58.	Extension Ladders for Fire Fighting Purposes	IS: 930-1950 Specification for Extension Ladders for Fire Fighting Purposes.
18	CM/L-346 29-9-1961	15-10-63	14-10-64	M/s. AFCO Limited Erangal, Madh Island, Bombay-58.	Wheeled Fire Escape	IS: 931-1959 Specification for Wheeled Fire Escape.
19	CM/L-347 29-9-1961	15-10-63	14-10-64	The Mysore Electro-Chemical Works Limited, Rajajinagar, Yeswantpur, Bangalore	Lead Acid Storage Batteries (Light Duty) for Motor Vehicles	IS: 395-1962 Specification for Lead-Acid Storage Batteries (Light Duty) for Motor Vehicles (Second Revision).
20	CM/L-348 11-10-1961	13-10-63	12-10-64	The Malwa Vanaspati & Chemical Co. Ltd., Bhag Rathpura, Indore.	18-Litre Square Tins	IS: 916-1958 Specification for 18-Litre Square Tins.
21	CM/L-349 20-10-1961	1-II-63	31-10-64	M/s. Cable Corporation of India Limited, Laxmi Building, Ballard Road, Ballard Estate, Fort, Bombay-1.	PVC Insulated (Heavy Duty) Electric Cables for Working Voltages Up to and Including 1100 Volts	IS: 1554 (Part-I-1961) Specification for PVC Insulated (Heavy Duty) Electric Cables Part I for working Voltages Up to and Including 1100 Volts.
22	CM/L-460 18-9-1962	15-10-63	14-10-64	M/s. Geo Industries & Insecticides (India) Pvt. Ltd., Field No. 82/3 (a) Sathankadu, Kaladipet, Madras-19.	BHC Dusting Powders	IS: 561-1962 Specification for BHC Dusting Powders (Second Revision).
23	CM/L-461 28-9-1962	15-10-63	14-10-64	M/s. Geo Industries & Insecticides (India) Pvt. Ltd., Field No. 82/3 (a) Sathankadu, Kaladipet, Madras-19.	Endrin Emulsifiable Concentrates	IS: 1310 1958 Specification for Endrin Emulsifiable Concentrates
24	CM/L-462 28-9-1962	15-10-63	14-10-64	M/s. Hindustan Salts Ltd., Sambhar Common Salt or Butter and Cheese Lake,	Common Salt or Butter and Cheese Industry	IS: 1845-1961 Specification for Common Salt for Butter and Cheese Industry.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
25	CM/L-463 11-10-1962	20-10-63	19-10-64	M/s. Basant Pran & Company, 25, Metal Clad Switches 15 & 30 Amps of 250 and 500 Volts Grade 60Amp of 500 Volts Grade, and 100 Amp of 400 Volts Grade	IS: 1567-1960 Specification for Metal Clad Switches (Current Rating Not Exceeding , 100 Amperes).	
26	CM/L-470 30-10-1962	1-11-63	31-10-64	M/s. Hind Tin Industries, 107-A, 18 Litre Square Tins Raja Dinendra Street, Calcutta-6.	IS: 916-1958 Specification for 18 Litre Square Tins.	

[No. MD/1243]

S.O. 3230.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that ten licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee (5)	Article/Process Covered by the Licence (6)	Relevant Indian Standard (7)
		From (3)	To (4)			
1	CM/L-588 4-10-1963	15-10-63	14-10-64	The Ahmedabad Manufacturing and Calico Printing Co. Ltd., Calico Mills, Chem and Plastics Division, Anik Chamber, Bombay-71.	PVC Cables only, 250 and 650 Volts Grade.	IS: 694-1960 Specification for PVC Cables and Cords for Electric Power and Lighting for Working Voltages Up to and Including 650 Volts to Earth (<i>Tentative, Amended</i>).
2	CM/L-589 14-10-1963	15-11-63	14-11-64	M/s. P. V. C. Wires and Cables Private Ltd., 1, Ishan Ghosh Road, Calcutta-8.	PVC Insulated Cables only, 250 and 650 Volts Grade.	IS: 694-1960 Specification for PVC Cables and Cords for Electric Power and Lighting for Working Voltages Up to and Including 650 Volts to Earth (<i>Tentative, Amended</i>).
3	CM/L-590 21-10-1963	15-11-63	14-11-64	M/s. A. C. M. Electric Co., Ishwarbhai Patel Road, Goregaon (East), Bombay-62.	Fractional Horse Power Electric Motors (Three-Phase only).	IS: 996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation.
4	CM/L-591 21-10-1963	15-11-63	14-11-64	M/s. Shalimar Tar Products (1935) Ltd., 26 Lake Road, Bhandup, Bombay-71 having their office at 16 Bank Street, Bombay-1.	Bitumen (Plastic) for Water-Proofing Purposes.	IS: 1580-1960 Specification for Bitumen (Plastic) for Water-proofing Purposes.
5	CM/L-592 21-10-1963	15-11-63	14-11-64	M/s. Shalimar Tar Products (1935) Ltd., 26 Lake Road, Bhandup, Bombay-71 having their office at 16 Bank Street, Bombay-1.	Preformed Fillers for Expansion Joint in Concrete Non-extruding and Resilient Type (Bitumen-Impregnated Fibre).	IS: 1838-1961 Specification for Preformed Fillers for Expansion Joint in Concrete Non-extruding and Resilient Type (Bitumen-Impregnated Fibre).
6	CM/L-593 28-10-1963	15-11-63	14-11-64	The Metal Box Company of India Ltd., Jeppo, Mangalore having their office at Barlow House, 59 C, Chowinghee Road, Calcutta-20.	18-Litre Square Tins.	IS: 916-1958 Specification for 18 Litre Square Tins.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
7	CM/L-594 . 29-10-1963	15-11-63	14-11-64	M/s. Bombay Switchgears, Laxmi Woollen Mills Estate, Shakti Mills Lane, Off Haines Road, Mihalaxmi, Bombay-11.	Metal Clad Switches 15 Amps, IS: 1567-1960 Specification for Metal Clad Switches (Current Rating Not Exceeding 100 Amperes).	
8	CM/L-595 . 30-10-1963	1-12-63	30-11-64	M/s. Pesticides India, Udaisagar Road, Udaipur.	Endrin Emulsifiable Concentrates. IS: 1310-1958 Specification for Endrin Emulsifiable concentrates.	
9	CM-L/596 . 30-10-1963	1-12-63	30-11-64	M/s. Pesticides India, Udaisagar Road, Udaipur.	DDT Water Dispersible Powder Concentrates.	IS: 565-1961 Specification for DDT Water Dispersible Powder Concentrates (Revised).
10	CM L-597 . 31-10-1963.	1-12-63	30-11-64	M/s. Conlin Private Ltd., Kondivita, Near Marol Bazar, Andheri-Kurla Road, Bombay-59 having their office at 210, Lady Jamshedji Road, Bombay-16.	Ink, Drawing, Waterproof, Black.	IS: 789-1955 Specification for Ink, Drawing, Waterproof, Black.

[No. MD/12 : 1016.]

S. K. SEN,
Head of the Certification Marks Department.

MINISTRY OF INTERNATIONAL TRADE

ORDER

EXPORT TRADE CONTROL

New Delhi, the 16th November 1963

S.O. 3231.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following further amendment to the Exports (Control) Order, 1962, namely:—

In Part B of Schedule I to the said Order—after item 40, the following item shall be added:—

“41. Mango slices in brine.”

[No. E(C)O, 1962/AM(37).]

MELA RAM BHARDWAJ, Under Secy.

[Branch Secretariat (Textiles)]

Bombay, the 11th November 1963

S.O. 3232.—In exercise of the powers conferred by Sub-Clause (d) of Clause 2 of the Woollen Textiles (Production and Distribution Control) Orders 1962, the Central Government hereby authorises the undermentioned officers of the Office of the Textile Commissioner to exercise the powers of the Textile Commissioner mentioned in the notification of even number, dated the 21st September, 1963.

(1) Director (Wool).

(2) Deputy Director (Wool).

(3) Assistant Director (Wool) Grade I and II.

[No. 7(4)/62-Control.]

Bombay, the 13th November, 1963.

S.O. 3233.—In exercise of the powers conferred by Sub-clause (i) of clause (5) of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Department of Commerce, No. 87-CW(25A)/48, dated the 26th March, 1949, namely:—

In the said notification, in paragraph 2,—

for sub-paragraph (2), the following sub-paragraph shall be substituted, namely:

- (i) “(2) The marking shall be made in respect of each piece of cloth as specified below, namely:—
(a) On a piece of cloth or paper label securely sewn, pasted or stapled to each item or piece;
(b) On a paper label securely attached to the outside wrapping of the bundle, in the case of blankets including cotton waste blankets packed in bundles, each containing not more than six blankets.”;
- (ii) in sub-paragraph (4), for the words “or serviettes”, the words and figure “or of serviettes, bedsheet, pillow cases and cut pieces of length not exceeding five yards” shall be substituted.

[No. 3(5)/63/control.]

I. R. KAKAR, Under Secy.

MINISTRY OF MINES AND FUEL

New Delhi, the 7th November 1963

S.O. 3234.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Limited, (Revenue Section), Darbhanga House, Ranchi or at the office of the Collector, Dhenkanal (Orissa), or at the Office of the Coal Controller, 1-Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section 7 of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi within 90 days from the date of publication of this notification.

SCHEDULE

D.R. No. Rev/85/63
Dated 5-8-63

Bhajanipur Block

SL. No.	Village	Thana	District & State	Remarks
1	Dera	Colliery PS . . .	Dhenkanal (Orissa)	Part
2	Handidhua	Colliery PS . . .	Dhenkanal (Orissa)	Part
3	Deulbera	Colliery PS . . .	Dhenkanal (Orissa)	Part
4	Bhajanipur	Talcher Town PS	Dhenkanal (Orissa)	Part
5	Rudhasar	Talcher Town PS	Dhenkanal (Orissa)	Part
6	Langijoda	Talcher Town PS	Dhenkanal (Orissa)	Part

Total area: 68·95 acres (Approx)
Or 27·92 Hectares (Approx).

BOUNDARY DESCRIPTION:

A—B line passes through village Dera and meeting at point B.

B—C line passes through village Dera and meeting at point C.

C—D line passes along the part common boundary of villages Dera and Bhajanipur and meeting at point D.

D—E line passes through villages Bhajanipur, Rudhasar, Handidhua, Langijoda and Deulbera and meeting at point E.

E—F line passes through village Deulbera and meeting at point F.

F—G line passes through villages Deulbera, Langijoda, Handidhua, Rudhasar and Bhajanipur and meeting at point G.

G—H line passes along the part common boundary of villages Dera and Bhajanipur and meeting at point H.

H—A line passes through village Dera and meeting at point A.

[No. C2-21(5)/63.]

New Delhi, the 8th November 1963

S.O. 3235.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Ltd., (Revenue Section), Darbhanga House, Ranchi or at the office of the Collector, Bilaspur (M.P.), or at the office of the Coal Controller, 1-Council House Street, Calcutta.

All persons interested in the lands mentioned in the said Schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi, within 90 days from the date of publication of this Notification.

SCHEDULE
Jatraj Block

Drg. No. R.V. 73/63
Dated 13-7-63

Sl. No.	Village	Tahsil	Halka No.	Khewat No.	District Area	Remarks
1	Ghatmuda	Katghora	7	27	Bilaspur	Part
2	Mangaon	"	7	26	"	"
3	Naraibad	"			"	"
4	Geora	"	5	91	"	"
5	Pandripani	"	5		"	"
6	Khodri	"			"	"
7	Barpali	"	5	96	"	"
8	Durpa	"	5	118	"	"
9	Risdi	"			"	"
10	Churel	"			"	"
11	Pali	"			"	"
12	Padania	"			"	"
13	Sonpuri	"			"	"
14	Jatraj U. S.	"	9		"	"
15	Korba	"	14	112	"	"
16	Dadar (Manikpur)	"			"	"
17	Bistampur	"	14	113	"	"
18	Bhilai Kh.	"	14	114	"	"
19	Dullapur	"			"	"
20	Barkuta	"			"	"

Total Area: 6700.00 Acres (Approx)
or 2713.50 Hectares (Approx)

BOUNDARY DESCRIPTION:

A—B line passes along the part common boundary of villages Ghatmuda and Mandwadhora and meets at point 'B'.

B—C line passes along the common boundary of villages Ghatmuda and Kosmunda and meets at point 'C'.

C—D line passes along the part common boundary of villages Ghatmuda and Mangaon and meets at point 'D'.

D—E line passes through village Mangaon and meets at point 'E'.

E—F line passes through village Naraibad and meets at point 'F'.

F—G line passes through villages Naraibad, Pandripani, Geora, Khodri, Churel, Risdi, Pali, Padania, Sonpuri, then through Hasdo River in villages Sonpuri and Bhilai Kh. and meets at point 'G'.

G—H line passes along the part left bank of Hasdo River in villages Bhilai Kh., Bistampur, Dadar (Manikpur) and Korba and meets at point 'H'.

H—I—A lines pass through Hasdo River in villages Korba, Jatraj, U.S. then through villages Jatraj U.S., Durpa, Barpali, Geora, Mangaon, and Ghatmuda and meets at point 'A'.

CORRIGENDUM

New Delhi, the 8th November 1963

S.O. 3236.—In the Notification of the Government of India, in the Ministry of Mines and Fuel, S.O. No. 2504 dated the 24th August, 1963 and published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 31st August, 1963, at pages 2958 to 2962:—

(1) At page 2959—

- (i) in the twenty-sixth line, for 'Plot No.' read 'Plot Nos.'
- (ii) in the forty-second line, for 'and meets at point Z' read 'meets at point 2'.
- (iii) in the fiftieth line, for "p int '7'" read "point '7'".

(2) At page 2960—

- (i) in the forty-first line, for "Sub-Block II" read "Schedule B".
- (ii) after line forty-seven, add "Sub-Block-II".

(3) At page 2961—

- (i) in the eighth line, for "42(P) to 45" read "42 to 45".
- (ii) in the eleventh line, for "73 to 76(P), 78(P)" read "73 to 76, 77(P), 78(P)".
- (iii) in the twenty-fifth line for "and 94 villag" read "and 94 in village Pota".
- (iv) in thirty-third line for "71" read "171".

[No. C2-25(2)/61.]

ERRATUM

New Delhi, the 12th November 1963

S.O. 3237.—In the notification of the Government of India, in the Ministry of Mines and Fuel, S.O. No. 2670, dated the 7th September, 1963, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 21st September, 1963 at pages 3405 and 3406,

at page 3405—

- (i) in the eighth line for "Central Fharia coalfield" read "Central Jharia coalfield";
- (ii) in the twenty-first line for "290" read "299".

[No. C2-20(20)/63.]

A. NABAR, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

New Delhi, the 8th November 1963

S.O. 3238.—In exercise of the powers conferred by section 18 of the Indian Lighthouse Act, 1927 (17 of 1927), the Central Government hereby exempts the ships participating in the International Indian Ocean Expedition during 1962—64 from the payment of light dues under the said Act.

[No. 14-ML(47)/63.]

E. P. SRIVASTAVA, Dy. Secy.

MINISTRY OF SCIENTIFIC RESEARCH & CULTURAL AFFAIRS

(ARCHAEOLOGY)

New Delhi, the 23rd November, 1963.

S.O. 3239.—In pursuance of section 36 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following correction in the notification of the late Government

of Central Provinces in the Public Works Department, Buildings and Records Branch No. 152 dated the 4th December, 1913, namely:—

In the schedule below para 1 of the said notification, for Serial Number 14 and the entries relating thereto, the following shall be substituted namely:—

" 14. Sagar, State of Madhya Pradesh. Sagar Rahatgarh . The whole of the fort (Survey plot No. 157) including the monuments inside, namely:—

- (i) Two gates.
 - (ii) Moti Mahal.
 - (iii) Dargah of Gulamali Shah and three graves.
 - (iv) Shish Mahal.
 - (v) Small Mosque.
 - (vi) Dargah in ruins.
 - (vii) Samadhi.
 - (viii) Dohla tank.
 - (ix) Ruined palace and
 - (x) Badal Mahal together with adjacent land, comprising an area of 46.80 acres bounded on the:—
- North.—Survey plot No. 158.
East.—Government Forest.
South.—Survey plot No. 158.
West.—Survey plot No. 158.

[No. F. 4-5/63-C.I.]

S. J. NARSIAN,
Assistant Educational Adviser.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 11th November 1963

S.O. 3240.—In exercise of the powers conferred by proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Ministry of Food and Agriculture (Recruitment to Technical Non-gazetted Class II and III Posts) Rules, 1959, published with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.O. 358 dated the 4th February, 1959, namely:—

- 1 These rules may be called the Ministry of Food and Agriculture (Recruitment to Technical Non-gazetted Class II and III Posts) Sixth Amendment Rules, 1963.
2. In the Schedule to the Ministry of Food and Agriculture (Recruitment to Technical Non-gazetted Class II and III Posts) Rules, 1959, under Class II Non-gazetted posts, after item 5 and the entries relating thereto, the following items and entries shall be inserted, namely:—

	1	2	3	4	5	6	7
6. Senior Technical Assistant (Procurement)	I	G.C.S. Class II (Non-gazetted).	Rs. 325—15 —475— EB—20— 575.	N.A.	N.A.	N.A.	
7. Senior Technical Assistant (Law)	I	Do.	Do.	N.A.	N.A.	N.A.	
8. Senior Technical Assistant (Statistics and Pricing).	I	Do.	Do.	N. .	30 years and below (relaxable for Government servants).	<i>Essential:</i> — (i) Master's or equivalent Honours Degree in Statistics or Mathematics/Economics/Commerce (with statistics of a recognised University. OR Degree of a recognised University with Mathematics/Statistics as a subject and 2 years post graduate training in Statistics at a recognised Institution. (ii) About 2 years experience of a Statistical work involving collection, compilation and interpretation of Statistical data. Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified. <i>Desirable</i> .—Experience of analysis and Interpretation of Agro-economic intelligence.	

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N.A.	N.A.	By deputation/ transfer	<i>Deputation/transfer</i> Officers of C.S.S. or Technical Assistants or Officers holding equivalent posts under the Central Govern- ment.	N.A.	As required under the Rules.
N.A.	N.A.	Do.	<i>Deputation/Transfer</i> Officers of the C.S.S. of Officers holding equivalent posts under the Central Govern- ment provided they possess a degree in Law.	N.A.	Do.
N.A.	2 years	By direct recruitment	N.A.	N.A.	Do.

[No. 3-23/63-E.IV.]

B. R. KAPOOR, Under Secy.

(Department of Agriculture)

New Delhi, the 12th November 1963

S.O. 3241.—The following draft of the Dried Edible Mushrooms Grading and Marking Rules, 1963, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 30th November, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date aforesaid, will be considered by the Central Government.

DRIED EDIBLE MUSHROOMS GRADING AND MARKING RULES—1963

1. Short title and application.—(1) These rules may be called the Dried Edible Mushrooms Grading and Marking Rules, 1963.

(2) They shall apply to dried edible mushrooms of the varieties produced in India, viz:

- (i) *Morchella esculenta* Linn (Gucchhi).
- (ii) *Morchella conica* Linn (Gucchhi).
- (iii) *Morchella angusticeps* (Gucchhi).
- (iv) *Cantharellus cibarius* Fr. (Dhingri).

2. Definitions.—In these rules:—

- (1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.
- (2) "Schedule" means a schedule appended to these rules.

3. Grade Designations.—Grade designations to indicate the quality of dried edible mushrooms shall be as set out in column 1 of Schedule II.

4. Definition of Quality.—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 6 of Schedule II.

5. Grade Designation Mark.—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word "AGMARK" and the figure of the rising sun, with the words 'Produce of India' and (भारतीय उत्पादन) resembling the one as set out in Schedule I.

6. Methods of Marking.—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser and shall clearly show the following particulars:

- (a) Grade designation.
- (b) Variety or trade name.
- (c) Net weight.
- (d) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said Officer, provided that the private trade mark does not represent quality or grade of mushroom different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of Packing.—(1) Only sound, clean and dry containers, as may be prescribed by the Agricultural Marketing Adviser, shall be used for packing. They shall be free from any insect infestation and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed in such manner as may be prescribed by the Agricultural Marketing Adviser.

(3) Each package shall contain dried edible mushrooms of one variety only.

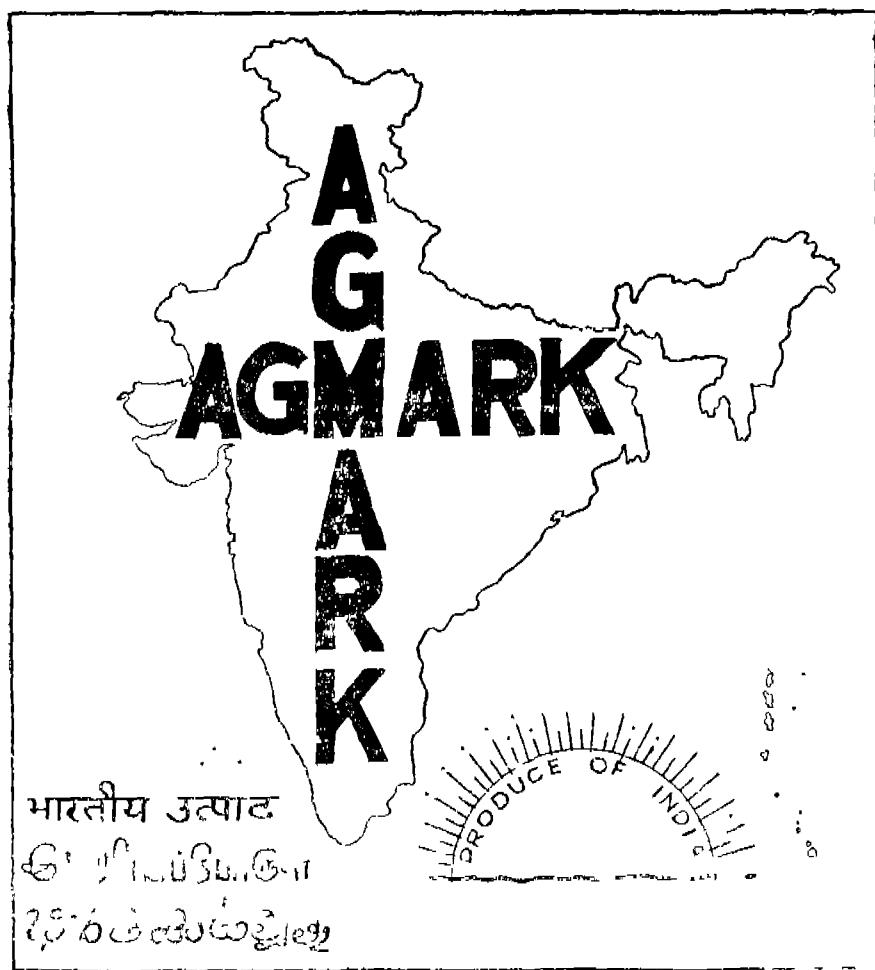
3 Special conditions of Certificate of Authorisation.—In addition to the conditions specified in rule 4 or the General Grading and Marketing Rule, 1.37, the following special conditions shall be observed by the packer to the satisfaction of Agricultural Marketing Adviser—

- (i) An authorised packer shall make such arrangements for testing mushrooms as may be prescribed by the Agricultural Marketing Adviser and samples thereof shall be forwarded to such Control Laboratories as may be specified from time to time by the Agricultural Marketing Adviser.
- (ii) An authorised packer shall provide all facilities to the Inspecting Officer duly authorised by the Agricultural Marketing Adviser in this behalf for sampling, testing and such other matters as may be necessary.

SCHEDULE I

(See rule 5)

Design for the Grade designation mark



NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for the purpose of export.

SCHEDULE II

(See Rules 3 and 4)

Grade designations and definition of quality of edible dried Mushrooms

Grade Designation	Special Characteristics					General Characteristics	
	Maximum limit of tolerance						
	Moisture per cent (by wt.)	Ash insoluble in HCl per cent (by weight)	Admixture with other varieties per cent (by weight)	Broken* pieces per cent (by weight)			
I	2	3	4	5	6		
Mushrooms—M.E. @ .	12.00	2.00	2.00	3.00	(a) The mushrooms shall be the dried product of 1. <i>Morchella esculenta</i> Linn (Gucchhi). 2. <i>Morchella angusticeps</i> Linn (Gucchhi). 3. <i>Morchella conica</i> Linn (Gucchhi). 4. <i>Cantharellus Cibarius</i> Fr. (Dhingri).		
Mushrooms—M.A.@@ .	12.00	2.00	2.00	3.00	(b) The stalks of the mushrooms from the bottom of the head or Pileus should be trimmed to a length not exceeding 1.5 cm.		
Mushrooms—MC £ .	12.00	2.00	2.00	3.00	(c) They shall be free from :— (i) Smoky or any other odour not characteristic of mushrooms; (ii) Sand, grit and other extraneous matter like saw dust, wood pieces, etc. (iii) Moulds, moths, mites or any other insects live or dead. (iv) Added colouring matter, bleaching agents, artificial flavouring or chemical preservatives.		
Mushrooms—CC ££ .	12.00	2.00	2.00	3.00			

*Broken Pieces—will include such pieces whose length does not exceed 1 cm.

@ ME stands for *Morchella esculenta*.@@ MA stands for *Morchella angusticeps*.£ MC stands for *Morchella conica*.££ CC stands for *Cantharellus cibarius*.

[No. F.17-22/63-AM]

V. S. NIGAM, Under Secy.

MINISTRY OF WORKS, HOUSING & REHABILITATION

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 7th November 1963

S.O. 3242.—In exercise of the powers conferred by sub-clause (iv) of clause (d) of section 2 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 (44 of 1954), the Central Government hereby declares the dues payable by a displaced person as a surety in respect of loan granted to any other displaced person—

- (i) by the Central Government; or
- (ii) by the late Rehabilitation Finance Administration the assets of which have become vested in the Central Government by virtue of the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. F. 7(67)/Corp./60, dated the 31st December, 1960; or
- (iii) a State Government;

to be public dues recoverable from the first mentioned displaced person.

[No. F 3(27)Comp&Prop/61.]

N. P. DUBE, Jt Secy.

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 11th November 1963

S.O. 3243.—Notice under Section 10(1) of the Delhi Development Act, 1957 (No. 61 of 1957) read with rules 5 and 15 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959.

Notice is hereby given that

- (a) a draft of the zonal development plans for Zones:
 - (i) C-1 (Kashmere Gate),
C-2 (Qudsia Garden/Indraprastha College Area),
C-3 (Civil Lines Main),
C-11 (Northern Ridge) and
C-12 (Old Secretariat);
 - (ii) D-17 (Nizam-ud-din & Jangpura)
D-18 (Kilokri),
D-19 (Lajpat Nagar),
D-20 (Mubarakpur Kotla),
F-2 (Kailash, Srinivaspuri and Lajpat Nagar IV Area) and
F-3 (Siri Area);
 - (iii) F-1 (Friends Colony) and
F-7 (Okhla);
 - (iv) F-4 (Saifdarjang);
 - (v) F-6 (Moti Bagh Extension);
 - (vi) F-10 & F-16 (Malvia Nagar); and
 - (vii) E-7 (Jhilmila),

has been prepared; and

(b) a copy thereof will be available for inspection at the following offices between the hours of 11 A.M. and 3 P.M. on all working days except Saturdays, till the date mentioned in para 3 hereinafter;

(1) Office of the Delhi Development Authority, Delhi Vikas Bhawan, Indraprastha Estate, New Delhi;

(2) Office of the New Delhi Municipal Committee, Town Hall, New Delhi;

(3) Office of the Delhi Municipal Corporation, Town Hall, Delhi; and

(4) Office of the Executive Officer, Delhi Cantonment Board, Delhi Cantt.

2. Objections and suggestions are hereby invited with respect to these draft zonal development plans.

3. The objections or suggestions may be sent in writing to the Secretary, Delhi Development Authority, Delhi Vikas Bhawan, Indraprastha Estate, New Delhi, before the 22nd day of February 1964.

Any person making the objection or suggestion should also give his name and address.

[No. F. 4(121)/63-W.D.]

R. K. VAISH, Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 11th October 1963

S.O. 3244.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between Messrs. R. L. Sharma and Company, Calcutta and their workmen which was received by the Central Government on the 9th October, 1963.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE NO. 4 OF 1963

PARTIES:

Employers in relation to Messrs. R. L. Sharma & Co., Calcutta,

AND

Their workmen.

PRESENT:

Shri L. P. Dave—*Presiding Officer.*

APPEARANCES:

On behalf of employers: Shri N. R. Roy, Law Officer.

On behalf of workmen: Shri H. L. Roy, President, Shipping Employees' Union.

STATE: West Bengal.

AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 28/25/63-LRIV, dated 31st May 1963 have referred the industrial dispute existing between the employers in relation to Messrs. R. L. Sharma & Co., and their workmen in respect of the question whether the action of the employers in terminating the services of the persons named in the list appended to the order was justified and if not, to what relief the said persons were entitled to, for adjudication to this Tribunal.

2 In response to notices issued by the Tribunal, both parties submitted their written statements. When the matter came up for hearing, they stated that the matter had been amicably compromised between them and produced a memorandum of settlement, copy appended herewith, signed by both parties.

3. The dispute referred to the termination of services of seventeen workmen named in the order of reference. Under the terms of this compromise, the Union does not press the case of two of these workmen. Regarding the other fifteen workmen, it has been agreed that they will be given work on the same terms and conditions as were applicable to them at the time of cessation of work. I am told that the workmen are not permanent workmen but only casual ones and hence the question of continuity of service does not arise. In my opinion, the compromise is fair and reasonable and I accept it.

In the result, I pass an award in terms of settlement.

Sd./- L. P. DAVE,
Presiding Officer.

The . October, 1963.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
AT CALCUTTA

IN THE MATTER OF REFERENCE NO. 4 OF 1963.

AND

In the matter of an Industrial Dispute under section 10 of the I.A. Act, 1947 as per Order No. 28/25/63-LRIV, dated 31st May 1963 of the Government of India, Ministry of Labour & Employment.

BETWEEN

Messrs. R. L. Sharma & Co. (hereinafter known as the Employer)

AND

Their 17 watchmen—Sri Lachman Ghole and 16—others (hereinafter known as the Watchmen) represented by Shipping Employees' Union.

The humble petition submitted jointly by the employer and the watchmen abovenamed in the matter.

Most Respectfully Sheweth:—

1. That the instant dispute referred to above is resolved amicably between the parties on the following terms and conditions:—

- (I) The watchmen involved in the dispute express their regret for what they have done offending the employer unwittingly on the 23rd March 1963.
 - (II) The Union do not press the cases of Shanta Bahadur Chhetri (27) and Dal Bahadur Chhetri (16).
 - (III) Sarvasree Lachman Gholey (1), Dal Singh Gurung (3), Umakanta Upadhyaya (10), Chhya Dutta Sarma (11), Paiwan Gholey (12), Chandra Bahadur Gulcy (13), Pryam Lal Sarma (19), Chandra Bahadur Sakhi (24), Padam Bahadur Sonar (25), Parsa Bahadur Soanar (23), Bhakta Bahadur Chhatri (26), Balkrishna Sarma (30), Jagat Bahadur Sarkhi (31), Chandra Bahadur Sarkhi (32) and Lachhman Sonar (34) will be given work on such terms and conditions as were applicable to them as per award dated the 14th May 1960 at the time of cessation of work. The watchmen will report for duty at the Head Office of the Employer (8, Lyons Range, Calcutta) within 30 days from the date of this agreement.
 - (IV) The watchmen will not be entitled to claim any wages whether for the period of unemployment bearing their actual dues still remaining unpaid for the period they served prior to their re-joining of work.
 - (V) The watchmen undertake to maintain peace order and discipline and to refrain from unruly behaviours, neglect of duty and or act of indiscipline.
- would be pleased to approve of and accept the agreement stated above and pass an order incorporating the same in to an award.

And for this act of kindness the humble petitioners as in duty bound shall ever pray.

The 3rd October, 1963.

Sd./-

Partner

on behalf of Employer.

3-10-1963.

Sd./- SUDHIR DAS SARMA,

Secretary,

Shipping Employees' Union.

3-10-1963.

[No. 28/25/63/LRIV.]

New Delhi, the 11th November 1963

S.O. 3245.—In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 852, dated the 18th March, 1963.

[No. 8/142/62-LR.II.]

S.O. 3246.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Central Bank of India Limited and their workmen which was received by the Central Government on the 29th October, 1963.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.
REFERENCE NO. CGIT-45 OF 1962.

PARTIES:

Employers in relation to the Central Bank of India Ltd.,
AND
their workmen.

PRESENT:

Shri Salim M. Merchant,—Presiding Officer.

APPEARANCES:

For the employers.—Shri K. P. Mahale, Law Officer and Shri N. A. Vazifdar,
Staff Officer.

For the workmen.—Shri K. K. Mundul, Vice-President, All India Bank
Employees' Association.

STATE: Bombay.

INDUSTRY: Banking.

Bombay, Dated the 28th October, 1963

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 51(51)/62-LRIV, dated 26th November, 1962, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), was pleased to refer the industrial dispute between the parties abovenamed in respect of the matters specified in the following schedule to the said order to me for adjudication.

SCHEDULE

"Whether the appointment of Shri M. C. Bhandari as Chief Cashier by the Central Bank of India, Jodhpur amounted to a supersession of the claims of Shri A. K. Vyas, Cashier, for appointment to the said post and, if so, to what relief, if any, is Shri Vyas entitled?"

2. The Rajasthan Bank Employees' Union in its written statement of claim dated 1st May, 1963, has stated that Vyas joined the former Jodhpur Commercial

Bank Ltd., in the month of November, 1946, while Bhandari joined the same bank in the month of February, 1947. It has submitted that Vyas at the time of his appointment was a Matriculate whilst Bhandari did not hold that qualification; that on 16th October, 1961, the Central Bank of India took over the Jodhpur Commercial Bank Limited under a scheme of amalgamation; that till 16th October, 1961, both Shri Bhandari and Shri A. K. Vyas were cashiers, the former working at the Nagaur office and the latter at the Jalori Gate, Jodhpur Branch where he continued till 1st May, 1962, when Shri Bhandari was appointed as Chief Cashier at the Jodhpur office; the former Jodhpur Commercial Bank Ltd., was a C2 class bank and the Central Bank of India Ltd., is an 'A' class bank according to the classification under the Sastry also and the Desai Tribunal Awards; that under para 12 of the scheme of amalgamation the Central Bank of India was bound on the expiry of a period not longer than 3 years from the date on which the scheme was sanctioned i.e., 16th October, 1961, to pay or grant to the employees of the transferor bank viz., the Jodhpur Commercial Bank Ltd., the same emoluments and the same terms and conditions of service as are applicable to the employees of corresponding rank or status of the transferee bank, subject to the qualifications and experience of the said employees of the transferor bank being the same as or equivalent to those of such other employees of the transferee bank; that the provisions of the Sastry Award continued to apply to both the Jodhpur Commercial Bank and the Central Bank of India Ltd.; that the supersession of Vyas, who was a senior employee, was in violation of the provisions of para 529, of the Sastry Award because it was without good and cogent reasons, Vyas also being educationally better qualified; that it was gross discrimination against Vyas and other employees who continued to be governed by the existing service conditions as per the scheme of amalgamation; that Vyas took up the matter with the Central Bank, but getting no satisfaction approached the union which raised an industrial dispute and referred it to the Conciliation Officer (Central) Ajmer; but the proceedings there ended in failure, as recorded in the Conciliation Officer's failure report dated 22nd October, 1962. The union has, therefore, claimed that the action of the management in appointing Bhandari as the Chief Cashier amounted to supersession of the claims of Vyas to the said post. It has, therefore, demanded that the Bank be directed to appoint Vyas to the said post of Chief Cashier in place of Bhandari who should be reverted with retrospective effect from 1st May 1962; that all other employees governed by the conditions of service under the scheme of amalgamation be placed in the scale of pay and service conditions as applicable to Central Bank of India Ltd., as from 1st May, 1962, and to grant any other relief which the Tribunal may be pleased to decide. The union has annexed to its statement of claim a copy of the Conciliation Officer's failure report dated 22nd October, 1962.

3. The Central Bank of India Ltd., (hereinafter referred to as the Bank), in its written statement in reply dated 30th April, 1963, has stated that when the former Jodhpur Commercial Bank was amalgamated with this bank with effect from 16th October, 1961, the registered head office of the Jodhpur Bank was at Jalori Gate, Jodhpur, which, from the administrative point of view, was the controlling office for the following six offices viz., the main office at Jalori Gate, Sub-Branch at Bullion Hall, Jodhpur, Pali, Merta City, Nagaur and Kuchaman City; that during the time of the former Jodhpur Commercial Bank the cashiers at the various offices had given nominal amounts as security deposits which in the opinion of the bank were not adequate to protect the interests of the bank in view of the fairly large amounts of cash in the custody of the cashiers. The Central Bank therefore felt it necessary to make some arrangements whereby the bank could hold somebody responsible for the acts of omission and commission of any of the cashiers in the Jodhpur group of offices; that Bhandari who was then handling a greater measure of responsibility amongst the cashiers in the Jodhpur group of offices was approached by the Bank if he was agreeable to take the responsibility for the act of omission and commission of all the cashiers as also the godown keepers etc., who were already in the service of the bank and those who may be appointed in future and upon Bhandari having agreed to shoulder this responsibility and upon his having furnished to the Bank a cash security of Rs. 10,000 and a fidelity insurance policy of Rs. 10,000 he was appointed Chief Cashier at the Jodhpur Main Office. The Bank has submitted that for the following reasons the appointment of Bhandari as the Chief Cashier had not amounted to the supersession of A. K. Vyas; (a) that Bhandari was working exclusively as a cashier in the controlling office at Jodhpur while Vyas was a cashier-cum-clerk at the Nagaur office which was under the control of the Jodhpur office; (b) that the controlling office at Jodhpur had besides administrative control to handle the cash requirements of the offices under its control and as cashier of the controlling office Bhandari had to attend to the despatch of cash remittance parcels to the various offices and also to take charge of cash remittance parcels from the various offices;

(c) that in view of the more responsible position held by Bhandari as cashier at the controlling office the Jodhpur Commercial Bank had taken upon it a co-secutivity of Rs 2,500 as against only Rs 500 from Vyas who had a somewhat lesser responsibility as 'cashier cum-clerk' at the small office at Nagaur
(d) that Vyas' duties at the Nagaur office were more those of a clerk than a cashier for the last number of years and that he was attending to the work of the cash department only on rare occasions when the old cashier happened to be on leave, (e) that for 15 years Bhandari had been in the service of the bank than was drawn by Vyas and in support has submitted his own statement of the salary drawn by both these persons which has not been challenged by the union,

	Basic salary drawn by Mr M C Bhandari	Basic salary drawn by Mr A K Vyas
1947	Rs 65 -	Rs 45/-
1948	Rs 75 -	Rs 55/-
1949	Rs 85 -	Rs 60 -
1950	Rs 95/-	Rs 65 -
1951	Rs 100/-	Rs 70
1952	Rs 105/-	Rs 80 -
1953	Rs 105 -	Rs 80 -
1954	Rs 110 -	Rs 90 -
1955	Rs 105 -(Adjustment as per award)	Rs 80/-
1956	Rs 105/-	Rs 80/-
1957	Rs 115 -	Rs 90/-
1958	Rs 115 -	Rs 90 -
1959	Rs 115/-	Rs 90/-
1960	Rs 133/-	Rs 100 -
1961	Rs 140/-	Rs 106 -

4 The management has contended that no employee can claim promotion to a higher post by way of right and that the Sastry Award which was applicable to the Jodhpur Commercial Bank had not conceded any such right to any employee and that the Sastry Tribunal had made it clear that seniority could not be the sole criterion for promotion and that discretion must rest with the management. The Bank has itself taken into account the nature of responsibility required of the employee to be promoted and chose for example Bhandari who was discharging more responsible duties and had drawn a higher salary from the very beginning had established his claim for promotion to the post of Chief Cashier. The Bank has submitted that character is one thing but it is more important for the post of Chief Cashier than mere educational qualifications and as the bank was satisfied that Bhandari fulfilled these tests he was appointed as the Chief Cashier and it is further submitted that the claim has not in any way been superseded.

At the hearing, neither party relied on evidence

6 At an arduous consideration of the submissions made by the plaintiff and the document on record I am of the opinion that the appointment of Kishore Das as Chief Cashier did not amount to a usurpation of the claims of Mr. The union has in support of its claim or appointment of Mr. Chaturamay Bhattacharya upon the fact that he would serve at the north branch of the Bank and that Mr. was his direct superior facts notwithstanding the rank Sir Manilal has relied upon the appointment letter dated 15 November 1946 in favour of Mr. as Assistant Cashier Department which it is argued is based on the description of the post of Assistant Cashier as a clerical officer of minor cumulus. In order to verify the same I referred to the Court Record of the bank of Jodhpur dated 16th August 1952 where he had stated that since 1949 he had been working as a clerk in the New Main Branch which had a staff of 150.

I am also more than satisfied that Bhandari during the period of his service had all along discharged more responsible duties as a cashier and this is established by the fact that he had initially been made to make a security deposit of Rs 2500/- as against the deposit of Rs 500/- made by Vyas and was subsequently asked to furnish a cash security of Rs 10 000/- and a fidelity insurance policy of Rs 10 000/- when he was appointed Chief Cashier at the Jodhpur main office I am further satisfied that throughout their service in the Jodhpur Commercial Bank and subsequently in the Central Bank after amalgamation, Bhandari had discharged more responsible duties than Vyas

7 It is now more than well settled that mere seniority is not the sole or main criterion for appointment to posts of responsibility I agree with the decision of the learned Shri E Krishnamurti Central Government Industrial Tribunal, Delhi dated 14th June 1960 in industrial dispute No 13 of 1960, where he had stated that the action of promotion should be decided in light of the directions contained in Para 529 of the Sastry Tribunal The Sastry Tribunal when dealing with the question of rules regarding promotion had stated as follows —

"While there is no doubt that seniority in service should be one of the most important factors to be taken into account for the purpose, we are unable to agree that mere length of service alone irrespective of efficiency educational qualifications, character and nature of responsibility required in connection with vacancies to be filled in should be the sole or even the main criterion for promotion Promotion is certainly not a matter which could be made automatic and great deal of discretion by its very nature must rest with the management in this connection"

The Hon'ble Supreme Court of India in the case of Brooke Bond (India) (Private) Ltd (1961 I L.L.J p 256 at page 257) has stated that in the absence of mala fides normally it should be left to the discretion of the management which of the two employees should be promoted There has in this case not been an iota of evidence of mala fides There are no allegations to that effect in the union's written statement of claim nor was any oral evidence led to suggest it I have not the least doubt considering the service records of both the workmen that throughout their career Bhandari has been holding a higher post and discharging more responsible duties as cashier and that in the absence of any mala fides Vyas has no justifiable grievance in the matter

8 Much stress has been laid on the scheme of amalgamation and its provisions It has to be remembered that the Jodhpur Commercial Bank Ltd prior to its amalgamation was governed by the Sastry Award and that the Central Bank also continues to be governed by the Sastry Award The fact that Vyas was working in an area which is now class IV area and Bhandari in Class II area makes in my opinion no difference whatever It is significant that when I questioned the union at the hearing when exactly the supersession had taken place Shri Mundul was not in a position to give any satisfactory reply In fact it appears to me that from the date they joined Bhandari was the better employee doing more responsible work as a cashier and that Vyas had in fact at one stage even applied for refund of his cash security deposit of Rs 500/- on the ground that he was doing only clerical duties

9 The management has also relied upon an incident relating to Vyas having improperly taken a photograph of a godown of a constituent of the bank which had resulted in the bank losing that constituent Vyas had expressed his regret for the incident and the Bank was I think justified in stating that thereafter it had justification for losing confidence in Vyas and not considering him at all for appointment as chief cashier

10 In the result I hold that there has been no supersession of Vyas in the appointment of Bhandari as Chief Cashier

11 No order as to costs

(Sd) SAIJU M MERCHANT
Presiding Officer,
Central Government Industrial Tribunal,
Bombay

[No 51(51)/62-LRIV]

S.O. 3247.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the Central Bank of India Limited and their workmen which was received by the Central Government on the 4th November, 1963.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT LUCKNOW

PRESENT:

Sri J. K. Tandon, *Presiding Officer.*

ADJ. CASE NO. I.D. 297 OF 19

MISC. CASE NO. 19

In the matter of an industrial dispute between The Central Bank of India Ltd. Head Office Bombay.

Vs.
Their Workmen.

APPEARANCES:

For the employers: Sri C. L. Chopra, Law Officer of the Bank.

For the workmen: 1. Sri P. C. Jain, General Secretary, U.P. Bank Employees' Union, Aligarh.

2. Sri R. K. Nigam, Secretary, Central Bank Employees' Association.

INDUSTRY: Bank.

DISTRICT: Gorakhpur, Basti & Lucknow.

Dated October 17, 1963

AWARD

The following five persons, namely Sarvashri Sheo Bahadur Pandey, Maya Ram Singh, Basant Lal, Ram Asrey and Ram Ugrah Singh, are some of the Peons in the service of the Central Bank of India Ltd. Paragraph 169 of what is popularly known as Shastray Award makes provision for payment of special allowance in the case of "A" Class employees, at the rate of Rs. 5/- p.m. to Cash Darwans. The employees above named claim that they were guaranteed Peons—an expression used to identify Peons who are under the guarantee from the Treasurer—and were performing the duties expected of Cash Darwans hence were entitled to the said allowance. The Bank authorities while admitting that in the case of some such guarantees were forthcoming plead that they were not performing the duties of collecting cash and insured articles which were necessary for the entitlement of the allowance consequently were not entitled to it. The following dispute was then referred to this Tribunal by the Central Government under Section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947):—

"Whether having regard to the duties performed by the undermentioned guaranteed peons of the Central Bank of India Limited, they are entitled with effect on and from the dates mentioned against each to any special allowance as prescribed in paragraph 169 of the award of the All India Industrial Tribunal (Bank Disputes) Bombay, as modified by the decision of the Labour Appellate Tribunal in the manner referred to in Section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955) and, if so, how much?

- (1) Shri Sheo Bahadur Pandey—9-9-1958.
- (2) Shri Maya Ram Singh—9-9-1958.
- (3) Shri Basant Lal—9-9-1958.
- (4) Shri Ram Asrey—9-9-1958.
- (5) Shri R. U. Singh—14-12-1957.

2. The Reference Order, as might have been noticed, while giving the names of the five employees has also mentioned in each the date from which the special allowance is claimed. This particular is relevant, inasmuch as the concerned workmen have from time to time been asking the allowance from different dates, some times even for periods falling prior to the dates mentioned in the Government Order itself. Obviously, in view of the dates given in the Reference Order this Tribunal in giving its award cannot and will not go to the earlier period.

3. The relevant portion of Para. 169 of the Shastry Award is thus:—

"We shall now turn to the subordinate staff. In this cadre there are not only ordinary peons and chowkidars but quite a number of employees under different designations such as daftars..... chowkidars..... Jamadars..... Call Boys..... Darwans, Sepoys..... Demands have been made for special allowance with respects to any of these persons. We lay down the following scales as minimum special allowances for certain categories of the subordinate staff. The general observations which we have made in the case of clerical staff would ordinarily apply to these persons also:

<i>Categories of employees</i>	<i>Class of Banks</i>			
	A	B	C	D
	Rs.	Rs.	Rs.	Rs.
Head cash mazdoors (coolies)	5	4	3	2-8-0
Watchmen, chowkidars or cash darwans	5	4	3	3

4. The "general observations in the case of clerical staff to which reference exists in paragraph 169 are contained in Para 162 of the award. The relevant extract is reproduced below:

"We think it is but right that persons with special qualifications or skill required for discharging work carrying with it greater responsibility than routine work should definitely have higher emoluments than an ordinary workman. There are three ways by which this extra payment may be provided for: (1) The employee may be given additional increments in the same scale. (2) He may be paid a lump sum amount in addition to his other emoluments.....(3) He may be given a higher scale leading up to a higher maximum..... though primarily our inclination was to provide a different and higher scale, we have considered it simpler on the whole to solve the problem by providing for a lump sum allowance called 'special allowance'....."

5. From these it would appear that the special allowance of Rs. 5 p.m. made payable to Cash Darwans under Paragraph 169 of the Award was in return "for discharging work carrying with it greater responsibility than routine work." This will be material when judging the respective contentions in the case of the five concerned employees who according to one of the contentions are entitled to special allowance by virtue of their being guaranteed peons. A guaranteed peon is a Peon in whose case the Treasurer has furnished a guarantee or rather an indemnity to the extent of Rs. 1,000. Such a guarantee is usually had from the Treasurer—a fact not seriously disputed—in the case of Peons who work in the Cash Department

6. Before proceeding to deal with the case of the individual employees it would be useful to dispose of some of the general contentions urged in the case. The expression "guaranteed peons" does not exist in the relevant paragraphs of the Shastry award or in the Order passed by the Hon'ble Labour Appellate Tribunal of India, dated 20th April, 1953. Instead the expression used is "Cash Darwan", but in Para 140 of the latter the designation of guaranteed peons is given as an equivalent in vogue in certain Banks, therefore, in reading the entry relating to Cash Darwans in Para 169 though guaranteed Peons fail to be mentioned as such, they would be included. The nomenclature, it seems, was different with different Banks. In the case of some the designation used was Cash Darwans, in other cases guaranteed Peons or Collecting Sarkars or Collecting Peons. The description Cash Darwans has, therefore, to be read as representative of all these different nomenclatures.

7. The next contention on behalf of the workmen has been that every guaranteed peon as such, in view of the guarantee furnished in his case by the Treasurer, is entitled to the special allowance. This is disputed by the Bank. According to the latter, guaranteed peons perform the ordinary duties discharged by other peons but because they work in the Cash Department the guarantee by the treasurer is taken for the faithful performance by them of those duties. In view of the guarantee they are designated as guaranteed peons. But the

nature of duties performed by them is not altered thereby. They remain the duties performed by peons in other than the Cash Department. In this way the Bank denies that they become entitled to the special allowance by the mere fact of the Treasurer's guarantee existing in their cases. According to the Bank the special allowance under paragraph 169 is admissible to those guaranteed peons alone who are required as part of their normal duties to present hundies and other valuable securities to constituents and are further authorised to collect money also. These particular duties in their view demand a higher degree of efficiency, at the same time greater responsibility, and it is in lieu of them alone that the special allowance is payable. The Bank also contends that the above duties should be performed by the employees concerned not casually but as part of their normal duties. Because they further point out that whenever an employee not normally performing these duties is for any reason required to discharge them, he is paid a pro rata compensation therefor.

8. Two questions emerge out of these contentions. One, whether the performance by a guaranteed peon of the above mentioned duties is necessary before he can demand the special allowance, and two, whether a casual performance by him of those duties will entitle him to the same, or should he be discharging them in the normal course of the duties assigned to him.

9. Paragraph 169 of the Shastry Award in making provision for special allowance has very clearly contemplated that the same is in lieu of work, efficiency or responsibility more than the routine shared by an ordinary workman belonging to the category. This is apparent from the fact that the special allowance has been given under the paragraph to selected categories only and not to everyone mentioned in the body. Besides, the last sentence wherein it has been said that the general observations made in the case of clerical staff would be applicable to these persons—these general observations which are to be found in paragraph 162 pointedly affirm "that persons with special qualifications or skill required for discharging work carrying with it greater responsibility than routine work" should be entitled to the allowance. It may be interesting to note that the Desai Award published in June, 1962, had occasion to consider a similar claim by guaranteed peons, but the same was rejected in paragraph 5.318. The All India Bank Employees' Federation wanted all guaranteed peons to be granted a special allowance but it was turned down. The same award a little later in para 5.230 while dealing with the case of Hundy presenters and Bill Collectors observed:—

"there are many members of the subordinate staff who had worked in connection with presenting hundies and bills which does not call for special allowance. There are, however, some workmen who are entrusted with such work as would call for special allowance and in fact some Banks are paying this special allowance. I direct that members of the subordinate staff who are generally employed to present hundies, bills or documents and are also authorised to collect money, even if it be to a limited extent, will be entitled to special allowance of Rs. 10 p.m. in A and B Class Banks and of Rs. 5 p.m. in 'C' Class Banks....."

The criterion accepted here also was that a member of the subordinate staff should be entitled to the special allowance if in addition to other normal duties he is authorised to present hundies and collect money also from constituents. Evidence has been led on behalf of the Bank—this is accepted in their pleadings also—that such guaranteed peons alone as are authorised to collect cash or insured articles from Post Office and other places are allowed the special allowance. There are a number of other guaranteed peons, but if they are not performing these duties they do not get the allowance. It does appear from the evidence tendered by the workmen that every guaranteed peon is not paid this allowance. Therefore, as a matter of practise also it is not possible to say that every guaranteed peon has been allowed the special allowance. The purpose of guarantee is really different. It has no direct connection with the performance of these particular duties by the employee concerned. It, on the other hand, is the faithful performance by him of his duties in the Cash Department where valuable securities are continuously handled by the employee.

10. I do not also think that a casual performance by a guaranteed peon of those duties, unless they are part of the normal duties assigned to him, is sufficient to entitle him to the allowance. This is clearly indicated in paragraph 169 read with paragraph 162 of the Shastry Award and must be true otherwise also. Occasions are bound to arise in the absence or non-availability of the person otherwise saddled with those duties to take the work from some other employee.

But this other employee cannot, therefore claim, if that expression can properly be employed that he should be allowed the allowance on a permanent basis. The Bank has adduced evidence that whenever a guaranteed peon, other than the one normally deputed on that work is asked to do it he is paid a pro rata sum. The evidence by the workmen has too supported this fact.

11 I have therefore no hesitation in coming to the conclusion that only such guaranteed peons as are authorised to collect money, insured articles and to present securities in the normal course of the duties assigned to them are entitled to the special allowance. Every guaranteed peon unless he is discharging the above mentioned duties cannot ask for the same.

12 I may deal with individual cases now.

(1) *Sri Sheo Bahadur Pandey (Serial 1)*

13 His claim as of two others viz Sarvashri Maya Ram Singh, Serial 2 and Basant Lal Serial 3 has been espoused by the Central Bank Employees Association, Lucknow. This gentleman was admittedly employed at Chauri Chaura branch of the Bank which closed in September 1956. He claimed that he was a guaranteed peon and also performed the duties of presenting hundies and collecting cash. The Bank in their affidavit dated 21st May, 1963 admits that he was handling cash box and stitching currency notes and sometimes also presented hundies at the shops of customers but denies that he was collecting cash or insured articles or other valuable securities. Inspite of the above denial by the Bank the workmen preferred to remain away from the witness box. Thus he has not come forward to swear that he had been performing these other duties also while Sri N S Khare, W W 1, President of the Central Bank Employees' Union and who has made an effort to depose in support has completely failed. He has never been to Chauri Chaura and whatever knowledge he has claimed in connection with the duties performed by this employee he has depended on facts stated to him by the employee himself. Obviously it is of no value. The employee himself should have come forward to depose the fact. The Bank in their turn have examined Sri M P Sharma who was Incharge of Chauri Chaura Branch. During his stay there he has depoed that Sri Sheo Bahadur Pandey was working as an ordinary peon and his duty consisted in lifting the cash box from the Strong Room to the Counter and back on the instructions of the Cashier. He also stated that he presented hundies and did other routine work including the bringing of dak from the Post Office. He has definitely denied that he ever carried cash independently or bought insured articles from the Post Office. His evidence also showed that there was no other Bank or Treasury at Chauri Chaura to require the carrying of documents for clearing or collection. In cross examination he even denied that he was a guaranteed peon. In view of the above evidence it is not possible to hold that this employee was a guaranteed peon much less that he was performing the duties which entitled him to the special allowance. His claim is rejected.

(2) *Sri Maya Ram Singh (Serial 2)*

14 In 1954-55 he was attached to the Aminabad Branch of the Bank in Lucknow and was admittedly performing the duty of collecting cash insured articles for which he was paid the necessary allowance also for the period April 1, 1954 to March 11, 1955. In March 1955 he was transferred to Hazratganj Branch where, however, this allowance was not paid. It was pointed out during argument that between March 1955 and January 1958 when he was transferred to the Chowk Branch in Lucknow he was shifted on more than one occasion from Hazratganj Branch to Aminabad Branch and vice versa, but he was not paid the allowance. He remained in Chowk Office from 18th January 1958 to 20th October, 1958 when he was again sent to the Aminabad Branch where he is working even now. The Bank's allegation is that he discharged the duty of collecting cash in 1954-55 but not afterwards. The same is the suggestion with regard to collection of insured articles. I may point out here that in his case the claim referred for adjudication is with effect from 9th September 1958. The relevant period is thus after this date that is for a period he was in Chowk Branch and ultimately in Aminabad Branch from 20th October 1958.

15 Sri Maya Ram Singh has claimed in his testimony that he was regularly doing the work of collection of cash and insured articles but his own document Ex. W-2 which is an order by the Sub agent of Chowk Branch where he was posted in September 1958 said that from 1-10-58 his duties would consist of (1) clearing (2) Hazratganj delivery (3) U.P. Electric Supply Co. Ltd., (4) Stitching of notes in the Cash Department when required. According to this Office Order his duty did not include the work of collection of money or insured articles. If

we advert to his statement in the cross-examination we find an admission that subsequent to the issue of the above Office Order he was performing such duties only as were stated in it. Later, however, he stated that when in Aminabad Branch his duty was not confined to the items stated in this order, but was doing the work of collection also. There were, as he himself pointed out, four guaranteed peons in Aminabad Branch out of whom two were in receipt of special allowance. A little later he also admitted that on 10 occasions for which entry existed in his Memo, he carried cash, and though he would claim that he did that work on many, more occasions there was no entry in the Memo about it. What appears on a total assessment of his testimony is that on some occasions he was no doubt asked to collect cash etc, for which he received the necessary allowance too, but this work was not done by him in the usual course of business. There were two other guaranteed peons who were doing it and were in receipt of the allowance also. I do not think he has succeeded in showing that he was performing this duty regularly or in the normal course of work.

16. It was stressed that he was in receipt of the allowance in 1954-55 and was performing also the particular duty. Which circumstance should weigh in favour of his claim. In 1955 he was transferred from Aminabad Branch to Hazratganj Branch where after staying for a short while he roamed from one Branch to another until he was sent to the Chowk Branch where we find his duties were confined to the jobs enumerated in Ex. W-2. No useful presumption can, therefore, be derived from the fact of his receiving allowance in 1954-55. The Bank examined Sri Banaji, who was Agent of the Aminabad Branch from April, 1959 to February, 1962. He has stated that there were two other guaranteed peons, Sarvasri Ram Lakan and Mohan Krishna who were entrusted with the work of collection of cash etc. So far as Maya Ram is concerned, his testimony is that he worked as a Peon and sometimes in handling clearing cheques. He has unequivocally denied that he was ever entrusted to carry cash. I find no reason not to accept his above version. Accordingly I would hold that Sri Maya Ram has not succeeded in establishing that he was collecting cash to entitle him to the allowance asked by him.

(3) *Sri Basant Lal (Serial 3).*

17. According to the Bank this employee performed the duties of stitching currency notes in the presence of the cashier and of handling cash box from the strong-room to the counter while he presented bundies also to the customers at their shop. As for the fact whether he was collecting cash from banks or other parties or collected insured parcels the Bank have in their affidavit of 21st May, 1963 denied it. Sri Basant Lal himself has not come forward and we do not, therefore, know his version. He is attached to Chowk Branch where according to Sri Maya Ram Singh there were two guaranteed peons including himself, and he alone was performing that work. Further Sri Basant Lal was asked to do the work of guaranteed peons when the regular guaranteed peons were not available. Thus even according to Sri Maya Ram, Sri Basant Lal was not performing the particular jobs ordinarily but on occasions when others were not available. It was not shown what particular type of work was being done in Chowk Branch, on the contrary the suggestion is that it is very low and has never justified the regular appointment of a peon for doing this work. I do, not, therefore, find any justification for holding that Sri Basant Lal has been performing the extra duties which will entitle him to the allowance asked. His claim has to be negatived.

(4) *Sri Ram Asrey (Serial 4).*

18. His case and that of Sri Ram Ugrah Singh, Serial 5 have been espoused by the U.P. Bank Employees' Union. Admittedly he was employed until September, 1956 as a guaranteed peon at the Urdu Bazar Office of the Bank in Gorakhpur, while in this Office he was getting the special allowance for discharging the duties of collecting money and insured articles etc. The Urdu Bazar Branch closed in September, 1956. Thereafter he was absorbed in the Gorakhpur Office of the Bank, that is at the main Branch in that town. There is no suggestion that he ceased to be a guaranteed peon after the closure of the Urdu Bazar Office. Indeed the principal contention has been that though he was one of the guaranteed peons in the main Office, the duties of collecting cash, insured articles etc. were performed by Sri Batuk Deo who got the necessary allowance also. Incidentally the contention also is that on the conclusion of his tenure in Urdu Bazar Office, Sri Ram Asrey gave a written undertaking to the Bank to accept a job in any other Branch of the Bank whether in Gorakhpur or outside; therefore, it does sought to be contended that his appointment in the main Office as a guaranteed peon pure and simple having been accepted by him, he was entitled to raise the claim for special allowance.

19. I do not think the so-called undertaking given by Shri Ram Asrey at the time of his deputation in the main office is of any avail. The special allowance is for the performance by an employee of duties outside the routine duties. Accordingly a person will be entitled to it so long as he is normally discharging those duties. The allowance follows the performance of the duties by the man. The crucial point, therefore, is whether he is really discharging the jobs which entitle an employee to the allowance. It appears from the testimony of Sri M. N. Mehrotra, E.W-8 also that Sri Ram Asrey does the particular work whenever Sri Batuk Deo, the regular man was not available. He has, no doubt, qualified his statement that on such occasions he was paid *pro rata*. There is, however, the further evidence that formerly there used to be three guaranteed peons in that office doing this work and each one was paid the special allowance. One of them died before Sri Ram Asrey went to that Office, and another left the employment. When, therefore, Sri Ram Asrey joined the Office, Sri Batuk Deo was the only person. There is no reason to think that the work in the main office had suddenly decreased to an extent that one peon was sufficient to do the work which was being done by three persons. It will be quite reasonable to conclude that Sri Ram Asrey was performing these jobs not only when Sri Batuk Deo was absent on leave, but also when he was present and could not be spared. Sri Ram Asrey has come in the witness-box and has stated that on an average he goes ten times a month to the Post Office to fetch insured articles, he also collects and carries cash on 15 occasions or more in a month. He takes damaged notes to the State Bank for exchange. The cross-examination was unable to shake his above version. I think he is right when he says that he has been performing these duties very often and month after month. At the same time it is not possible to accept that he was discharging the duties occasionally or casually. It may be that Sri Batuk Deo is the first preference to be entrusted the work, but having regard to the workload, the former strength and the number of times Sri Ram Asrey has been doing the work, the conclusion cannot be that than otherwise that he has been performing them as part of his normal assignment. He is, therefore, entitled to the special allowance which he has asked with effect from 9th September, 1958. In computing the amount of allowance payable to him, any payments by way of *pro rata* allowance already received by him will be deducted.

(5) *Sri Ram Ugrah Singh (Serial 5).*

20. He was godown peon prior to 1958 when pursuant to a guarantee given by the Cashier was designated as guaranteed peon. At first he was the only guaranteed peon in Basti, but in 1961 one Sri Radhika Prasad was also posted there as guaranteed peon. According to him, i.e. Sri Ram Ugrah Singh he alone was performing the duty of collecting cash, insured articles and presentation of hundies prior to 1961 but when Sri Radhika Prasad was sent to Basti Branch, primarily Sri Radhika Prasad performed those duties but he discharged them when Sri Radhika Prasad was not free. He did so when Sri Radhika Prasad was on leave also. The Bank's answer is that except on two occasions, once on 16th June, 1955 and a second time on 4th October, 1955 he was never deputed to collect cash when he was paid an allowance of Re. 1 per day for the above dates. The Bank admits that he carried Treasury and Pension bills to the Treasury for being passed and also lifted Cash Box from the Strong Room to the counter. The fact that he was asked to present hundies to the customers is not denied. The collection of insured articles by Sri Ram Ugrah Singh is not admitted.

21. In his cross-examination Sri Ram Ugrah Singh admitted that he carried cash on not more than four occasions; two for which he was paid the necessary allowance and for the remaining two he was not paid anything. The first two apparently were those which have been mentioned by the Bank also. The fact that he was required to collect cash, taken at his own words on four occasions only during the long period since 1955 is capable of no other conclusion than that the particular work done by him was not in the normal course of performance of his duties. What appeared is that on a few occasions when perhaps other arrangement was not available, he was asked to collect cash. That will, however, not entitle him to the special allowance which can be claimed if the particular duty is discharged as part of normal course.

22. The representative for the workmen referred to a letter dated April 9, 1956, Ex. E-6 by the Chief Agent, Lucknow Office sent to Sub-agent at Basti. In this letter it was pointed out that since Sri Ram Ugrah Singh was required to attend local Banks to deliver cheques and bring remittances in the absence of the Jamadar, he ought to be paid special allowance of Rs. 5 with effect from

1st April, 1956. It was, however, further stated in it that Sri Ram Ugrah Singh was a godown peon. If, therefore, he was permitted to handle cash, there should have been a separate guarantee from the Treasurer in this respect. It was further pointed out that the allowance will be admissible to him if he held a regular guarantee in that behalf. The Chief Agent then asked the Sub-agent to withhold the payment of the special allowance until further instructions and to explain why in the absence of a guarantee cash collection work was entrusted to him. I have heard the earned representative but I am not convinced that this letter really improved his case. In the first place it relates to a period prior to December 14, 1957 from which date the claim has been referred to this Tribunal for adjudication. Secondly the letter merely authorised the payment of special allowance if the employee who was performing the duty of collecting cash. Unless, therefore, it can be held as a fact that he was really performing this duty in the normal course, he cannot ask to be paid the allowance.

23. It was also contended that Sri Ram Ugrah Singh admittedly presented hundies, and this should be sufficient to entitle him to the allowance. I do not think the mere fact that hundies have to be delivered by the peon at the premises of the party is a work for which special allowance can be asked. It is one of the normal duties of a peon to deliver documents. The same can be said about insured articles. Collection of cash is a necessary duty which the personnel claiming the allowance should be authorised to do.

24. I will reject the claim of this employee.

25. I make my award in terms of the above findings.

26. There shall be no order as to costs.

J. K. TANDON,
Presiding Officer (Central).
[No. 10(109)/60-LRIV.]

New Delhi, the 13th November 1963

S.O. 3248.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the Indian Merchants' Chamber, Bombay and their workmen which was received by the Central Government on the 4th November, 1963.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-33 OF 1963

Employers in relation to the Indian Merchants' Chamber, Bombay.

AND
Their workmen

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the employers.—Shri K. S. Vahia, Advocate with Shri S. K. Iyer,
Deputy Secretary of the Indian Merchants' Chamber.

For the workmen.—Shri H. K. Sowani, Advocate, with Shri I. S. Sawant,
Assistant Secretary, Transport and Dock Workers' Union, Bombay.

INDUSTRY: Posts and Docks.

STATE: Maharashtra.

Bombay, the 30th October 1963

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 26/43/63-LRIV, dated 24th August 1963, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties abovenamed in respect of the subject-matters specified in the following schedule to the said order, to me for adjudication.

SCHEDULE

"Whether the demand for revision of pay scale in respect of six Calipermen and six Stampmen employed by the Indian Merchants' Chamber, Bombay, is justified and if so from what date?"

2. After the reference was made, the Secretary of the Transport and Dock Workers' Union, Bombay filed his written statement of claim on 23rd September 1963, in which he claimed the following revised scales of pay for the Stampmen and the Calipermen, who are employed by the Indian Merchants' Chamber in the Bombay docks:—

Stampmen: Rs. 40—2½—3—84.

Calipermen: Rs. 50—3—71—4—95.

The Union has urged that the present scale of Rs. 30—2—50—2½—65 for both stampmen and calipermen was inadequate. The Union has sought to compare the work of these two categories of workmen with those of Sorters employed by the Bombay Port Trust who, according to the union, are paid in the scale of Rs. 110—3—131—4—135 and get a dearness allowance of Rs. 10 p.m., (on the present consumer price index number), a house-rent allowance of Rs. 15 or 15 per cent of the pay and city compensatory allowance of 10 per cent of the pay subject to a minimum of Rs. 7.50 and maximum of Rs. 12.50.

3. The Indian Merchants' Chamber in its written statement dated 3rd October 1963, has urged that there was no justification for this reference as on an identical demand made by this union against the Bombay Chamber of Commerce and Industry, which pays the like categories of its workmen the same wage scales and dearness allowance as is paid by it, the Government was pleased to refuse to refer that dispute to adjudication on the ground that the pay scales and dearness allowance in force compared favourably with those prevalent in other commercial firms in Bombay. I may, however state that it is now settled that Government can at any stage alter its mind and refer to adjudication a dispute which it may earlier have decided not to refer to adjudication and when I mentioned this, Shri Vahia, learned Advocate for the employers rightly did not press this point.

4. On the merits, the Indian Merchants' Chamber has urged that the duties of stampmen and calipermen in measuring cargo in the sheds at the docks was not in any way better than the work of hamals and that they did the work of measuring cargo for only about 3 hours in the shift. The Chamber has given details of the work done by stampmen and calipermen, but it is not necessary to notice them in detail in view of the acceptance by the representatives of the parties of the suggestion made by me for revision of the existing wages for them.

5. The Chamber has pointed out that it had on 1st August 1963 revised the Basic Wages of Stampmen and Calipermen to Rs. 34—2—50—2½—70 with retrospective effect from 1st April 1963, prior to which date their wage scale was Rs. 30—2—50—2½—65. The Chamber is also since 1st April 1963 paying its Calipermen an extra allowance of Rs. 3 per month. It was also pointed out that in applying the new scale of pay the Chamber had granted to practically every workman three increments in the revised scale.

6. In my opinion, the stampmen and calipermen perform slightly more responsible duties than ordinary un-skilled workman and it appears to me that the Chamber itself has recognised this in revising their wages with effect from 1st April 1963. In my opinion the Union is not justified in comparing the work of the stampmen and calipermen with the work of sorters. In my opinion the revised wage scale prescribed by the Chamber for the stampmen need only a slight improvement and I am glad to state that representatives of both parties readily agreed to accept the scale of Rs. 35—2—50—2½—70—5—75 suggested by me for stampmen. With regard to Calipermen I feel that their duties are more responsible and require a little more intelligence than those of a stampman and this is borne out by the fact that the Chamber itself grants its calipermen an additional allowance of Rs. 3 per month over the pay scale of stampmen. I, however feel that instead of a separate additional allowance of Rs. 3 the proper thing to do would be to grant calipermen a slightly better pay scale than for stampmen. I therefore, suggested that calipermen may be given the higher scale of Rs. 40—2—50—3—65—5—80 and the separate allowance of Rs. 3 should be done away with, and I am glad to state that the representatives of both the parties were agreeable to this suggestion. The only other direction that is necessary is that if the basic wage as revised by the Chamber with effect from 1st April, 1963 (for the 7 calipermen and six stampmen shown in the statement filed by the

Chamber) is not a step in the awarded wage scale his basic wage should be stepped up to the next higher stage in the prescribed wage scale and this suggestion was also accepted by the representatives of the parties.

7. In the result I award the following scales of Basic Wages for Stampmen and Calipermen.

Stampmen.—Rs. 35—2—50—2½—70—5—75

Calipermen.—Rs. 40—2—50—3—65—5—80.

Caliperman shall not get the allowance of Rs. 3 per month paid to them. I further direct that if the revised wage as fixed on 1st April 1963 is not a step in the prescribed wage scale it shall be stepped up to the next higher stage in the awarded wage scale of course. The stampmen and ~~other~~ ^{Calipermen} will continue to draw the dearness allowance at the rate in force in the Chamber which I was informed was, Rs. 80 per month.

8. All dues under the Award to be paid within a month of the award becoming enforceable.

9. No order as to costs

Sd/-
Salim M Merchant
Presiding Officer
Central Government-Industrial Tribunal, Bombay
[No. 28/43/63/LR.IV.]

S.O. 3249.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby makes the following award of the Industrial Tribunal, Bombay in the dispute between Messrs. Dharsi Moolji, Bombay and their workmen which was received by the Central Government on the 4th November, 1963.

BEFORE THE CENTRAL GOVERNMENT'S INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. C.G.I.T.-25 of 1963

Employers in relation to M/s. Dharsi Moolji, Bombay.

AND
their workmen.

PRESENT:

Shri Salim M Merchant, Presiding Officer

APPEARANCES:

For the Employers.—Shri B. M. Bhatt, Labour Officer, instructed by Sarvashri Y. H. Rane, Manager and K. S. Shah, Accountant.

For the Workmen.—Shri H. K. Sowani, Advocate, with Shri A. S. Savant, Asstt. Secretary Transport and Dock Workers' Union, Mumbai.

INDUSTRY: Ports and Docks.

Bombay, dated the 31st October 1963

AWARD

The Central Government by the Minister of Labour and Industries Order No. 274/MLR/1 dated 1st April 1963 made in exercise of the powers conferred by clause (d) of section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as "the ID Act") and in accordance with the provisions of the ID Act, 1947, in respect of the dispute between the employers and the workmen in the following establishment:

Scriptor

"How far is it in what done and the demands of the Workmen Clerks
and Peons in respect of the following matter."

- (i) Scales of Pay
- (ii) Dearness Allowance.
- (iii) Gratuity.

- (iv) Contributory Provident Fund.
- (v) Leave.
- (vi) Confirmation."

2. Messrs. Dharsi Moolji (hereinafter referred to as the Employers) are contractors under Messrs Mackinon & Mackenzie & Co. Ltd., Bombay, doing the work of un-loading and stacking cargo discharged by vessels from Persian Gulf and Africa. They also supply labour and materials, as indicated in Ex. W-2. It is admitted that for the purposes of their contract work, they employ Shivnars, Pollewallas, Pollewallas and Delivery Clerks and others. The total number of workmen employed by the company for the purposes of its said business were stated in the Union's written statement to be about 99, but Shri Bhatt at the hearing on 29th October 1963, stated that the employers were now employing about 109 workmen. I may state that an earlier industrial dispute being reference No. CGIT-46 of 1962, between these employers and their workmen with regard to the increase in rates of wages of their daily-rated workmen and for bonus for the years 1960-61 and 1961-62, was referred to my adjudication and that by my Award dated 6th September 1963 [See Government of India Gazette Part II Section 3(ii), dated 21st September pp. 3473 to 3475] I granted an increase of 38 n.P. with effect from 1st August, 1962, in the daily wages of Shivnars, Pollewallas and Pollewallas, Carpenters, daily-rated Sorters, Tally Clerks and Delivery Clerks, employed by them. With regard to the demand for bonus for the years 1960-61 and 1961-62, the employers offered payment of an additional sum of Rs. 500 for each of these years and the offer was accepted by the Union and I directed accordingly.

3. The instant dispute has been raised only on behalf of the delivery clerks. The parties are not agreed as to the total number of delivery clerks employed by the employers at present. According to the management, it only employs the following 7 monthly rated Delivery Clerks with the length of service shown against their names: viz.

Name	Designation	Length of Service According to Union years	According to Employers years	Present Salary
1 B.P. Wadker	Delivery Clerk	40	25 years (about)	Rs. 180.00
2 Y.G. Lanjekar	do.	28	20	do. Rs. 160.00
3 L.R. Samani	do.	25	20	do. Rs. 170.00
4 J.B. Patal	do.	21	20	do. Rs. 145.00
5 Tatyा Bhagat	Table clerk (also attends to delivery work)	..	12	do. Rs. 120.00
6 R.B. Pawar	Delivery Clerk	8	8	do. Rs. 100.00
7 S.D. Lad	do.	..	4	do. Rs. 140.00

It is admitted that these are consolidated wages inclusive of dearness allowance. It is further admitted that at present there is no scheme of gratuity or provident fund in the company either for its daily-rated or monthly paid workmen. But the employers have stated that at the end of each year they pay bonus equivalent to a month's consolidated wages. With regard to leave, the employers grant one month's leave in the year on full pay and if the leave is not availed of fully or partly, they pay wages for the period for which the month's leave was not availed of.

Demand Nos. VL(i) and (ii): *Scales of pay and Dearness Allowance and Confirmation.*

4. The Union has demanded that all delivery clerks who have put in 6 months' service should be made permanent and should be paid dearness allowance on the basis of the cost of living index on the scale applicable to the textile workers in Bombay. It was stated at the hearing that under the existing scale of dearness allowance the textile workers in Bombay get a dearness allowance of Rs. 94 on

the cost of living index number of 448. But at the hearing Shri H. K. Sowani, the learned Advocate for the Union, stated that he was prepared to modify his demand and was prepared to accept the basic wage scales and the dearness allowance being paid by (1) Messrs Merchant Steam Navigation Co. and (2) Messrs Kanji Jadhavgi & Co., which according to the union are comparable concerns to these employers. It was stated at the hearing that these two concerns are paying their delivery clerks the basic wage scale of Rs. 90—7—132—8—156—9—165—10—175 and in addition are paying dearness allowance at the following rates:—

Basic Pay	Dearness Allowance
Rs. 1 to Rs. 100 per month	Rs. 75.00 per month.
Rs. 101 to Rs. 150 per month	Rs. 80.00 per month.
Rs. 151 to Rs. 200 per month	Rs. 85.00 per month.

According to the union, on this basis the minimum pay of a delivery clerk should be at least Rs. 165 per month and that this company which had been doing business as one of the contractors of Messrs Mackinon Mackenzie & Co. should be directed to pay its delivery clerks wages and dearness allowance at these rates.

5. The employer company has pleaded its inability to pay wages and dearness allowance at the rates claimed by the union. It has argued that the business was now owned by the widow of Shri Darsi Moolji and that its business had been going down. The employer has stated that it is unable to pay anything more unless its principals grant to it an increase in the rates of the workmen it employs. The employers have filed the representation dated 18th October 1963 (Ex. E-3) which it had addressed to its principals requesting for an increase in its rates—consequent upon the increase in wages of 38 nP. which I had awarded by my Award in Ref. No. CGIT-46/62. To this M/s. Mackinon Mackenzie had replied on 23rd October 1963 (Ex. E-1) granting certain increase in rates. For delivery clerks the principals had increased the rate to Rs 5.50 nP. per day. The Company had granted the increased rates with effect from 1st November 1963, whilst my Award in the earlier dispute (Ref. No. 46/62) had granted the increase of 38 nP. with effect from 1st August 1963. In its representation made on 26th October 1963 (Ex. E-2) the management had asked for delivery clerks an increased rate of Rs. 12 per day.

6. I may here state that the Union has in a statement filed by it (Ex. W-1) stated that the company in addition to the 7 monthly rated delivery clerks also employs 7 daily-rated delivery clerks to whom it gives first preference. The union has given particulars by name of these 7 clerks and has also stated the number of years they have been serving in the company. The union has in this statement also shown the names of 4 clerks—who it says are also employed as daily-rated temporary delivery clerks, but who are second preferences in employment. The company has denied the correctness of these statements and its case is that it does not employ any delivery clerks except the 7 delivery clerks referred to *Supra*. But from an inspection of the Registers of the company it does appear that it is employing some delivery clerks on daily rates. But the union has not been able to establish the present strength of the delivery clerks as stated in its statement (Ex. W-1). It is really not necessary for me, under the terms of the reference, to determine what is the number of delivery clerks at present employed. I can only say that it does appear that the employers are employing certain daily-rated workmen to do the work of delivery clerks. I am however, fixing a consolidated monthly scale of pay for the delivery clerks and on the question of confirmation, under demand No. (VI), I am giving a direction that delivery clerks—both daily-rated and monthly-rated who complete six months continuous service shall be confirmed.

7. I am not satisfied that this company can be compared to either M/s. Merchant Navigation Co. which is a steamship company or to M/s. Kanji Jadhawgi and Co. who are Stevedores of long-standing. Evidently the employers, who are mainly labour contractors, occupy a peculiar position and this was recognised in an earlier Award of Shri M. E. Micher, I.C.S. (retd.) in his Award, dated 30th May 1955 in the industrial dispute Reference (ITCG) No 4 of 1954 published in the Gazette of India Part II section 3, dated 23rd June 1955 at page 1180 para. 103. This position was also recognised by the Labour Appellate Tribunal which heard the appeal from that Award. I am also satisfied that the company has not the

financial capacity to pay the wage scales and dearness allowance demanded by the union. I am, however, satisfied that the union's demand for an increase in the wages of delivery clerks is justified. The employers are at present paying a consolidated wage, and I do not think I would be justified in disturbing that form of payment. After an anxious consideration of the financial position of the company and the demand of the workmen for increased wages, which I feel is justified, I think the ends of justice would be met if I were to grant an increase of 15 per cent in the present pay of those of the delivery clerks who have put in more than 10 years admitted service, and of 10 per cent for those who have put in less than 10 years' service. The result would be that of the 7 delivery clerks whose cases I have referred to earlier, R. S. Pawar and S. D. Lad will get an increase of 10 per cent on their present monthly pay of Rs. 100 and Rs. 140 respectively and the remaining five viz. R. P. Wadkar, Y. G. Lanjekar, L. R. Somani, J. B. Patel and Tatyा Bhagat, who admittedly have put in more than 20 years service, will get an increase of 15 per cent in their present pay. The same will be the increase in wages for the daily-rated delivery clerks. This increase in wages will be granted with effect from 1st June 1963. There will be no separate dearness allowance as claimed by the union.

8. With regard to demand No. (vi) I direct that these delivery clerks both daily and monthly-rated who have put in 6 months' continuous service shall on completion of that period of service be confirmed. I do not think that the union's demand for confirmation on completion of 3 months service would be justified.

Demand Nos. (iii) and (iv) Gratuity and Contributory Provident Fund.

9. The union has claimed both these retiral benefits on the ground that like employees in the stevedoring and shipping companies are getting these benefits. The union in support of these two demands has argued that if once these delivery clerks are paid similar wages and dearness allowance as is being paid to like employees in stevedoring and shipping companies, they would also be entitled to the benefits of gratuity and provident fund. The union in its written statement had craved leave to put in detailed schemes of gratuity and provident fund, which were available to like categories of employees in stevedoring and shipping companies, but it failed to file the same at the hearing.

10. The company at the hearing has opposed both these demands on grounds of its financial inability to bear the burden of either retiral benefit. It has argued in its written statement that it would not be equitable to start either of the schemes for only seven permanent delivery clerks.

11. It is admitted that there is neither a provident fund nor a gratuity scheme in force in this company for any of its employees. The company has rightly contended that it cannot be compared with any of the stevedoring or shipping companies to which the Union referred at the hearing. I have upheld this contention of the company on the demand Nos. (i) and (ii) relating to wages and dearness allowance. I am satisfied that these employers have not the financial stability and resources to pay its employees either of these retiral benefits. It is no doubt desirable that at least one of these retiral benefits should be awarded, but in the present financial position of the company, I am not satisfied that either of these benefits can justificably be granted, till the financial position of the company improves considerably.

Leave: Demand No. (v)

12. It is admitted that the company at present grants 30 days earned leave in the year to these employees and it also allows them to encash the leave not enjoyed during the year.

13. The union has in its demand claimed the following leaves.—

- | | |
|---------------------|-----------------------|
| (a) Privilege Leave | — one month per year. |
| (b) Sick Leave | — 15 days per year. |
| (c) Casual Leave | — 15 days per year |

It has claimed that privilege leave should be allowed to be accumulated for 3 months and sick leave up to 12 months in the entire period of service with the company.

14. It is now too late to be required to state reasons in justification of the grant of all these 3 forms of leave, as it is well accepted that all these three forms of leaves should normally be granted. I am, however, of the opinion that the number of days of leave claimed by the union on each count is excessive.

15. After a discussion with the parties I suggested the following leave facilities, and I am glad to state that the representatives of the parties expressed their acceptance of the same:

Privilege Leave: 21 days privilege leave in the year with right to accumulate the same for 3 years i.e. 63 days.

Sick Leave: 10 days sick leave in the year with the right to accumulate, the same upto a period of 6 months in the entire period of service.

Casual Leave: Seven days casual leave in the year with no right to accumulate. Casual leave to be availed of for emergent and unforeseen circumstances and not more than 3 days casual leave to be taken at a time. The employee to have the right to prefix and suffix Sundays and holidays to the casual leave granted.

All un-availed of privilege, sick and casual leave to be encashable at the end of the year. In the event of encashment of leave there shall, of course, be no accumulation of the encashed leave. I am granting the right to encash the un-availed of portion of these leaves, because of the existing practice to that effect in the company.

16. The leave rules as awarded to come into force from 1st January, 1964.

17. I further direct that all dues payable to the workmen under this Award shall be paid within a month from the date this Award becomes enforceable.

No order as to costs.

Sd/- SALIM M. MERCHANT,
Presiding Officer.

Central Government Industrial Tribunal,
Bombay.

[No. 28/30/63/LR.IV.]

New Delhi, the 16th November 1963

S.O. 3250.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad, in the matter of an application under Section 33A of the said Act from Shri Ellakapalli China Lingaiah, ex-workman, Singereni Collieries Company Limited, Kothagudem, which was received by the Central Government on the 8th November, 1963.

BEFORE THE HONBLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH,
HYDERABAD

PRESENT:

Dr. Mir Siadat Ali Khan, M.A., LL.B., Fazel (Osm), B.C.L. (Oxon), D. Phill (Oxon). Bar-at-Law, Lincolns Inn (London), Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad-Dn.

MISCELLANEOUS PETITION NO. 41 OF 1963

IN

INDUSTRIAL DISPUTE NO. 15 OF 1963

BETWEEN

Ellakapalli China Lingaiah, ex-workman, Singereni Collieries Co., Ltd.,
Kothagudem,

AND

Employers of Singereni Collieries Co., Limited, Kothagudem.

APPEARANCES:

- Sri M. Komaraiah, for workman, and,
- Sri P. S. Jayachandran Rao, Jr Personnel Manager of the company and
Sri P. Sitapathi, advocate, for employers.

AWARD

In this Miscellaneous Petition No. 41 of 1963 the workman Ellakapalli Chinna Lingaiah has filed a petition under section 33A of the Industrial Disputes Act, XV of 1947 (hereinafter referred to as the Act) against the employer of the

Singereni Collieries Company Ltd. The allegation is that he has been dismissed after 20 years of service for the reason that he abused and beat a co-worker Rajam on 12th July 1963. It is alleged that the domestic enquiry was conducted in an unfair manner and he was given no opportunity to cross-examine the witnesses recorded by the enquiry officer on behalf of the employer. It is also alleged that the enquiry officer got the signature on certain papers under threats of dismissal. The last contention is that he was dismissed during the pendency of Industrial dispute 15 of 1963 without the approval of the Industrial Tribunal. The workmen have, therefore, prayed that justice should be done in this case.

2. As against this, the employer has raised an objection that as Lingaiah was a canteen worker and canteen is a separate establishment, he is not a concerned workman. Similarly, Lingaiah was a workman in Singereni Collieries Co., Ltd., whereas the industrial dispute No. 15 of 1963 was a dispute of Tandur Collieries of Coal Mines. Lingaiah was a member of Singereni Collieries Workers' Union and the main dispute was raised by Tandur Coal Mines Labour Union. The Singereni Collieries Workers' Union was affiliated to A.I.T.U.C. whereas the Tandur Coal Mines Labour Union was affiliated to I.N.T.U.C. For all these reasons it is contended that he was not a concerned workman, and, therefore, the provisions of section 33(1) of the Act are not contravened and the application of the workman under section 33A of the Act is not maintainable.

2.1. On merits the employer has contended that the enquiry was full and fair; Lingaiah attended the enquiry, cross-examined some of the witnesses adduced by the employer and refrained from cross-examining some others. He cited two witnesses in defence and they were examined. After that, on the report of the enquiry officer, the order of dismissal was passed.

2.2. Today was fixed for hearing. The workmen did not bring any witnesses, but, came with a petition for adjournment. It should be noted that at the last hearing also the workmen have not brought any witnesses and sought an adjournment on the ground that they will approach the Deputy General Manager who had passed the dismissal order for a favourable consideration of the same. Today they stated that they did not contact the said Deputy and wanted a further adjournment.

2.3. I discussed the matter with the representatives of both the parties after perusing the entire record before seeing them. I feel that adjournment will be infructuous and, therefore, did not grant it. The reasons for this are that

the petition has not been filed before me during the pendency of the industrial dispute 15 of 1963. A reference to the record will show that Lingaiah was summoned on 13th September 1963. The industrial dispute No. 15 of 1963 was commenced on 25th July 1963. I sent the award the same day. It was published on 27th July 1963. Under section 17 of the Act the pendency of a dispute before the Tribunal is one month from the date on which the award becomes enforceable. Under section 17A of the Act the award becomes enforceable on the expiry of 30 days from the date of its publication. It is therefore clear that the award became enforceable on 29th August 1963, and the pendency of the industrial dispute No. 15 of 1963 was over on that day namely, 29th August 1963. The petition under section 33A of the Act was filed by Lingaiah on 13th September 1963, that is, after full fifteen days the proceedings were over before me. On that ground alone the petition is not maintainable. I hold accordingly.

3. Thus, as the petition is dismissed, I believe there is not much to say further. However, as the workmen were eloquent over the need of doing justice to Lingaiah I may say a few words acting on the principle that it is not enough to do justice but it should also appear clear to the parties that justice is being done. With this end in view, I examined the record of the domestic enquiry carefully. The occurrence in which Lingaiah was involved occurred on 12th July 1963. The Compulsory Deposit Scheme had come into force and the employer was making the deductions in accordance with the scheme. The A.I.T.U.C. union to which Lingaiah belonged had passed a resolution that in protest to the enforcement of the scheme the workmen should not take their wages. A crowd was collected and Lingaiah got hold of the shirt of one Rajam and administered a blow to him. This misconduct was duly enquired into. The employer recorded witnesses in the presence of Lingaiah. He was allowed an opportunity to cross-examine them. He in fact cross-examined some of them and other he did not want to cross-examine. He cited two witnesses in defence. They were recorded. They only stated that they did not see the occurrence. All this will show that the enquiry was full and fair and the misconduct was proved. The order of dismissal is, therefore, borne out by the record of the

case. The allegation by Lingaiah that no opportunity was given to cross-examine the employer's witnesses is not borne out and is not correct. He should, therefore, have no grouse over the conduct of the enquiry.

3.1. No doubt the order of dismissal was passed on 25th August 1963. Still, he should have filed the petition under section 33A of the Act during the pendency of the proceedings before me which as already stated was over by 29th August 1963. Even so, it is evident that Lingaiah's petition is not maintainable on the technical ground of pendency being over. That is why I want to add a word or two more. The employer has taken a strict view of discipline and he has dismissed him. In matters of discipline I am loath to interfere, I, therefore, uphold the dismissal order of the employer. By this I hope the employer's prestige is vindicated. After his prestige is so vindicated he may also take into consideration that according even to the employer himself Lingaiah has to his credit a service of 10 years. Lingaiah's stand is that his service has been of 20 years. Whatever the length of service may be, it is quite clear that he has a long service to his credit and it is a service more or less without any serious blemish. No doubt discipline has to be kept and I am all for discipline. Nonetheless, stray acts of unruly behaviour may be seen in correct perspective. On the day of occurrence a crowd was collected and it was due to crowd psychology that Lingaiah committed the misconduct. No doubt it was bad. But owing to crowd psychology it is a mere lapse. The captains of industry, I feel should carry their workmen with them. The employer could have condoned the lapse as it was a stray act in 10 or 20 years of service. I leave the matter to the employer with this recommendation. Formally, I approve of his order of dismissal and reject the workman's petition as it is not maintainable.

Report accordingly this 6th day of November, 1963 under my hand and seal of this Court.

Sd/- M. S. ALI KHAN,
Industrial Tribunal,
Andhra Pradesh, Hyderabad.

[No. 7/1/63-LR.II.]

ORDER

New Delhi, the 11th November 1963

S.O. 3251.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Adjai II Colliery, Post Office Charanpur, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management in dismissing Shri Murli Ahir is justified? If not, to what relief is he entitled?

[No. 6/5/63-LR.II.]

A. L. HANNA, Under Secy.

New Delhi, the 11th November 1963

S.O. 3252.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act 1948 (34 of 1948), the Central Government hereby appoints the 17th day of November, 1963 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force), and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said

Act shall come into force in the area within the Municipal limits of Sholapur Borough Municipality in the North Sholapur Taluka of the Sholapur District in the State of Maharashtra.

[No. F. 13(31), 63-HI.]

P. M. MENON, Secy.

New Delhi, the 11th November 1963

S.O. 3253.—In pursuance of clause (v) of sub-rule (2) of rule 21 of the Minimum Wages (Central) Rules, 1950, the Central Government hereby authorises the Calcutta Port Trust to deduct from the wages of their employees any licence fee due from them for the use of cattle sheds provided by the Port Trust.

[No. LWI(I)3(39)/61.]

K. K. UPPAL, Under Secy.

New Delhi, the 12th November 1963

S.O. 3254.—In pursuance of sub-clause (9) of clause 42 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby makes the following amendments in the piece-rates scheme, which was brought into force by the Madras Dock Labour Board with effect from the 1st March, 1958, in pursuance of the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 109, dated 14th February, 1958, namely:—

1. This Scheme may be called the Madras Dock Workers Piece Rates (Amendment) Scheme, 1963.
2. In Appendix 'A' of the piece-rates scheme evolved by the Committee presided over by Shri Jeejeebhoy under the heading "Exports", after Serial No. 19, the following entries shall be inserted under the respective headings mentioned in the Table.—

TABLE

S. No.	Datum Lines	Datum tonnage for 8 hour shift	Datum tonnage for ($\frac{3}{4}$ hour shift)
20	Loading of Ore by semi-mechanical operation that is when the iron trays are filled manually on the shore side.	81	66

[No. 524/24/63-Fac.]

K. D. HAJELA, Under Secy

New Delhi, the 12th November 1963

S.O. 3255.—In pursuance of sub-section (3) of section 17 of the Employees' Provident Funds Act, 1952 (19 of 1952), read with paragraph 27 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby directs that the employers in relation to establishments, whose employees have been exempted under the said paragraph, shall submit a monthly return to the Regional Provident Fund Commissioner by the 25th of the month following that to which it relates, in the Proforma set out in the Schedule to this Notification:

SCHEDULE

Monthly statement showing the position of provident fund in factory/establishment in which employees have been exempted under paragraph 27 of the Employees' Provident Funds Scheme, 1952.

Name of the Factory/Establishment Code No.

1. Members:—

- (i) No. of members on the last date of the previous month.
- (ii) No. of the members during the month.
- (iii) No. of members who have ceased to pay contributions during the month on account of cessation of employment.
- (iv) No. of members on the last date* of the month.

2. Contributions realised for wage periods ending in the month:—

- (i) Total amount of wages, dearness allowance and other payments.
- (ii) Total contributions realised from
 - (a) Employees
 - (b) Employers

3. Other income to the fund during the month on account of receipt of interest on investments, refund of loans, transfers etc.

4. Total payments during the month on account of:—

- (a) Loans.
- (b) Final settlement of claims.
- (c) Transfers

5. Inspection charges paid on contributions and number and date of the challan through which paid.

6. Amount invested during the month.

7. (a) Progressive total of investments made up-to-date from the inception.

- (b) Balance in hand
- (c) Manner of holding the balance.

*This means the last date of the last wage period ending in the month where there are more wage periods than one in the month.

N.B.—Information on items 1 and 2 only will be furnished separately for exempted and excluded employees.

[No. PF.II.5(8)/59.]

S.O. 3256.—In pursuance of sub-section (3) of section 17 of the Employees' Provident Funds Act, 1952 (19 of 1952), read with paragraph 27 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby directs that the employers in relation to establishments, whose employees have been exempted under the said paragraph, shall invest every month 90 per cent of the provident fund accumulations in respect of such employees, in Central Government securities within fifteen days of the date of collections. The balance of 10 per cent of provident fund accumulations shall be kept as fluid cash for making refunds to the outgoing members of their nominees/heirs.

[No. PF.II.5(8)/59.]

S. A. AHMAD, Dy. Secy.

New Delhi, the 18th November 1963

S.O. 3257.—In pursuance of sub-rule (1) of rule 48 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government

hereby appoints the following officers under the Ministry of Labour and Employment as the officers to whom notices of orders attaching the salary or allowances of Government servants employed in the respective offices under them shall be sent, namely:—

1. The Welfare Commissioner, Mica Mines Labour Welfare Fund, Bihar, Dhanbad.
2. The Chairman, Mica Mines Labour Welfare Fund Advisory Committee for Rajasthan, Jaipur.
3. The Chairman, Mica Mines Labour Welfare Fund Advisory Committee for Andhra Pradesh, Nellore.

[No. 37(13)63-MIII.]

R. C. SAKSENA, Under Secy.

